



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPLN) NO.71 OF 2024

Mrs. Kalpana w/o Vinod Giri
Vs.

State of Maharashtra, Through Police Station Officer, Lohara Police
Station, District Yavatmal

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. G. Joshi, Counsel for the applicant.
Mr. U. R. Phasate, APP for non-applicant /State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 21/08/2024

1. Heard.
2. By preferring this application, the applicant is seeking modification of the condition imposed by the trial Court while releasing him on bail.
3. As per the allegation, the informant Nilesh Subshashrao Nikam, General Manager of the District Industrial Centre, Yavatmal was having additional charge of Akola District. The co-accused Ajay Devidas Rathod who was serving as a Clerk-cum-Typist at D.I.C. office at Yavatmal and the informant who is having additional charge of Akola office could not attend the office of Yavatmal regularly. As the co-accused having sufficient knowledge of the official work the informant trusted him and allotted him the additional work. He was allotted to look after and prepare and forward the reports regarding industrial

subsidy and incentive packages under different scheme. It is alleged that the co-accused has misappropriated the amount. As far as the present applicant is concerned it is alleged that she has received the amount of Rs.48,83,000/- though she is entitled for Rs.18,83,000/-.

4. As per the say filed by the State before the trial Court, the applicant is entitled for the amount of Rs.18,83,000/-, and therefore, she is only liable to pay the said amount. While releasing her on anticipatory bail the trial Court has not considered this fact and directed to deposit the entire amount of Rs.48,83,000/-.

5. By considering the same, the Court has modified the condition and directed to deposit the amount of Rs.30,00,000/- which is complied by the applicant. Thus, considering the fact that the applicant has already deposited the amount and complied with the condition imposed by the trial Court is hereby set aside.

6. Hence, the application is disposed of.

(URMILA JOSHI-PHALKE, J.)