



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

**CRIMINAL APPLICATION (BA) NO.534 OF 2025**

Sudarshan s/o Topsingh Thakur and another  
Vs.  
State of Maharashtra, through Police Station Officer, Police Station  
Goregaon District Gondia

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

Court's or Judge's orders

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Mr. R. M. Daga, Counsel for the applicants.  
Mr. N. R. Rode, APP for non-applicant/State.

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 24/06/2025**

1. The applicants came to be arrested on 30.03.2025 in connection with Crime No.200/2025 registered with Police Station Goregaon, District Gondia for the offence punishable under Sections 406, 409, 420 read with Section 34 of the Indian Penal Code.

2. The crime is registered on the basis of report lodged by the Auditor of Cooperative Society, Taluka Sahkari Shetkari Kharedi Vikri Samitee Maryadit, Goregaon, in view of the resolution passed by the Society, the informant was appointed as Auditor for that purpose and during audit for the period from 15.07.2024 to 30.07.2024 of the said Society which runs 06 paddy purchase centers at different places and submitted his report on

24.09.2024 to the Assistant Registrar, Cooperative Societies, Goregaon. From his audit, it revealed that there was unreasonable decrease in the paddy stocks of 2022 and 2023 on those centers the applicant No.1 was a Grader of Paddy Purchase Center at Kalimati and the applicant No.2 was the Centre In-charge where unreasonable decrease of paddy weighing 1264.70 Quintal worth Rs.25,79,988/- was found. There was unreasonable decrease of paddy at Gondekhari center also. Thus, it reveals that there is a misappropriation of the said paddy, therefore, the offence was registered on the basis of the said report.

3. Heard learned Counsel for the applicants, who submitted that the alleged offence is not punishable with imprisonment of more than seven years. Now the investigation is already completed, charge-sheet is already filed. The amount of Rs.2,00,000/- is already recovered from the present applicant. The applicant cannot be kept behind bar for an indefinite period as there are no chances of conclusion of trial in a near future. For all above these grounds, the applicants be released on bail.

4. Learned APP strongly opposed the said application and submitted that considering the stake of the misappropriation which is Rs.1,43,72,310.00/- and the present applicant No.1 was Grader and applicant No.2 was Center in-charge, therefore, they

are responsible for the said misappropriation. Considering the various agriculturists are duped by the present applicants and the other co-accused, *prima facie* case is made out. In view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, as far as the involvement of the present applicants is concerned, which reveals from the investigation papers. However, considering the fact that the alleged offences are punishable with imprisonment upto seven years. The investigation is already completed, charge-sheet is already filed. No purpose will be served by keeping the present applicants behind bar. The trial will take its own time for its final disposal. For all above these terms, the application deserves to be allowed. Accordingly, I proceed to pass following order:

**ORDER**

(i) The application is allowed.

(ii) The applicant **No.1 Sudarshan s/o Topsingh Thakur** and **No.2 Chandrashekhar Girdhari Bopche** shall be released on bail in connection with Crime No.200/2025 registered with Police Station Goregaon, District Gondia for the offence punishable under Sections 406, 409, 420 read with Section 34 of the Indian Penal Code, on executing PR Bond in the sum of Rs.25,000/- each with one solvent surety in the like amount.

(iii) The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

(iv) The applicants shall attend the proceeding before the trial Court without seeking any exemption unless there are exceptional circumstances.

(v) The applicants shall not leave the jurisdiction of Gondia district without prior permission of the district Court Gondia.

The application is disposed of.

**(URMILA JOSHI-PHALKE, J.)**