



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.416 OF 2025

(Shri Maroti Govinda Khune Vs. The State of Maharashtra)

AND

CRIMINAL APPLICATION (ABA) NO.427 OF 2025

(Yogesh s/o Kusan Madavi Vs. The State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.M. Chandekar, Advocate for the applicant in ABA No.416/2025.
Mr. S.D. Umredkar, Advocate for the applicant in ABA No.427/2025.
Ms S.S. Dhote, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- JULY 24, 2025.

Apprehending the arrest at the hands of Police in connection with Crime No.69/2025 registered with Police Station Kurkheda, District Gadchiroli for the offences punishable under Sections 316(5), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached to this Court for grant of pre-arrest bail.

2. Learned Counsel for both the applicants submitted that as far as the allegations levelled against the present applicants are concerned that they are the Directors of the Maharashtra State Tribal Development Corporation Limited and as per the agreement the said Tribal Development Corporation has obtained the food grains for the process and to transport it to the dealers. When the said food grains were transported to the said Tribal Development Corporation, it reveals that the entire stock was not forwarded to the dealers for the process but some of the stock was found misappropriated. On the

basis of the said report, police have registered the crime against the present applicants. They have submitted that considering the recitals of the FIR, there is general allegations levelled against all of the Directors. Other Directors are already released on bail by the Judicial Magistrate First Class, Kurkheda. As far as the custodial interrogation of the present applicants is concerned, which is not required. They have already attended the police station and cooperated with the investigating agency.

3. Learned APP for the State strongly opposed the said applications on the ground that, considering the allegations levelled against the Directors and the President of the said Tribal Development Corporation, the custodial interrogation of the present applicants is required to ascertain regarding the misappropriation of the stock. At the same time, she fairly submitted that the applicants have cooperated with the investigating agency.

4. On hearing both the sides and on perusal of the recitals of the FIR, it reveals that general allegations are levelled against all the Directors. As far as the other Directors are concerned, who are already released on bail. The applicants have already cooperated with the investigating agency. Their immediate custodial interrogation is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

- (i) Both the applications are allowed.

(ii) In the event of the arrest, the applicants namely - Shri Maroti Govinda Khune and Yogesh s/o Kusan Madavi in connection with Crime No.69/2025 registered with Police Station Kurkheda, District Gadchiroli for the offences punishable under Sections 316(5), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on anticipatory bail, on executing P.R. Bond in the sum of Rs.25,000/- each with one solvent surety each in the like amount.

(iii) The applicants shall attend the concerned police station once in a week i.e. on every Monday between 10.00 a.m. and 01.00 p.m. and shall cooperate with the investigating agency.

(iv) The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

(v) The applicants shall not leave the jurisdiction of the Gadchiroli District without prior permission of the District Court, Gadchiroli.

5. Both the applications are disposed of.

(URMILA JOSHI-PHALKE, J.)