



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

CRIMINAL APPLICATION (BA) NO. 753 OF 2025

(Pankaj Manindra Halдар

Vs.

State of Maharashtra, Thr. PSO, Police Station Aheri, District
Gadchiroli)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. D.R. Galande, Advocate for the Applicant.

Mr. A.M. Ghogare, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 29th JULY, 2025

1. The Applicant came to be arrested on 07.03.2025, in connection with Crime No. 42/2025 registered with Police Station Aheri, District Gadchiroli for the offence punishable under Section 316(5) of the Bhartiya Nyaya Sanhita, 2023.

2. The Informant, Vyankatrao Gopichand Vairagade, Inspector of Tahsil Office, Aheri, lodged a report against one Rajesh Devidas Takwale, Godown Manager, alleging that he was entrusted with the responsibility of the Government Godown Manager as a public servant and misappropriated 562.66 quintals of wheat at a cost of Rs.2,850/- per quintal, worth of Rs. 16,03,581/- and 159 quintals of rice costing of Rs.4,042/- per quintal, amounting to Rs. 6,42,678/-. Thus, total misappropriation was of Rs.22,46,259/-.

3. As per the allegation, the present Applicant has purchased the misappropriated goods, and therefore, he is arraigned as an accused.

4. Heard learned Counsel for the Applicant, who submitted that no property was entrusted to the present Applicant. He is only the shop owner. He is arrested merely because he has purchased the misappropriated goods, there is no reason to have knowledge about the same to the present Applicant, and therefore, further incarceration of the present Applicant is not required.

5. Learned APP strongly opposed the said Application on the ground that during investigation, the involvement of the present Applicant reveals, and therefore, the Application deserves to be rejected.

6. On hearing both sides and on perusal of the investigation papers, the limited role is attributed to the present Applicant. His involvement is not in actual misappropriation. There is no allegation that any property was entrusted with the present Applicant, only the allegation is that he has purchased the misappropriated goods and considering the limited role attributed against him, he has made out a case for grant of bail. Accordingly, I proceed to pass the following order.

ORDER

- i. The Application is **allowed**.

- ii. The Applicant – Pankaj Manindra Haldar in connection with Crime No.42/2025 registered with Police Station Aheri, District Gadchiroli for the offence punishable under Section 316(5) of the Bhartiya Nyaya Sanhita, 2023, be released on bail, on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
 - iii. The Applicant 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.
 - iv. The Applicant shall attend the proceedings before the Trial Court without seeking any exemption unless there are exceptional circumstances.
 - v. The Applicant shall furnish his detail address along with the address proof before the Trial Court.
7. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)