



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

CRIMINAL APPLICATION (ABA) NO. 153 OF 2026

AJAZ KHAN S/O ADIL KHAN
VS
STATE OF MAHARASHTRA

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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Shri A.B.Mirza, Advocate for applicant.
Shri C.A.Lokhande, APP for respondent/State.

CORAM: RAJNISH R. VYAS, J.

DATED : 24th APRIL, 2026.

Apprehending arrest, the applicant has preferred this application for the grant of anticipatory bail in connection with First Information Report No. 53/2026 dated 28/01/2026, registered with Police Station Akot Rural, District Akola for the offence punishable under Section 316(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

2. In short, it is the case of reporter/informant - Police Inspector that the present applicant was working on a contractual post of Gramin Dak Sewak and he collected the amount from the depositors. The applicant was under an obligation to deposit the collected amount with the Post Office, but the same was not done. According to the FIR, by not depositing the amount, he has misappropriated a sum of Rs. 56,000/-.

3. The learned counsel for the applicant submits that the applicant was subjected to the Departmental Inquiry, which is going on. He further submits that the

misappropriated amount of Rs. 56,000/- is already deposited. According to him, even his account maintained with the Post Office, is also freezed by the Post Office.

4. The learned counsel for the applicant has inviated my attention to the order dated 25/02/2026 passed by this Court, granting ad-interim anticipatory bail and directing him to attend the police station.

5. Per contra, the learned APP for the State has contended that the offence registered against the applicant is serious and he has deceived the poor depositors. He thus prayed for rejection of the present application. He fairly submits that the investigation of the crime is on the verge of completion and applicant has attended the concerned Police Station as well as deposited an amount of Rs. 56,000/-.

6. With the help of respective learned counsels, I have gone through the record of the case. It is not in dispute that the applicant as a Gramin Dak Sewak was under an obligation to collect the amount from the depositors and deposit the same with the Post Office, which was not done. The misappropriated amount of Rs. 56,000/- is already deposited by the applicant, which fact is not disputed by the learned APP. It is also not disputed that the account maintained by the applicant with the Post Office is already freezed. Considering the nature of the allegations and the fact that the applicant has deposited the amount, I am inclined to allow the application. Hence, the following order:-

ORDER

- i) The Criminal Application (ABA) is **allowed**.
- ii) The order passed by this Court dated 25/02/2026, granting ad-interim anticipatory bail, is confirmed.
- iii) In the event of arrest, in connection with Crime No. No. 53/2026 dated 28/01/2026, registered with Police Station Akot Rural, District Akola for the offence punishable under Section 316(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant shall be released on bail on furnishing P.R. bond of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety in the like amount.
- iv) The applicant shall attend the concerned Police Station as and when called by the Investigating Officer.
- v) The applicant shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses directly or indirectly.
- vi) The applicant shall not leave the India without prior permission of the Court.
- vii) Accordingly, the Application stands **disposed of**.

(RAJNISH R. VYAS, J.)