

Order below Exh.1 in Cri. Bail Application No.270/2022.

[Ganesh Bhagvan Suryavanshi Vs. State]

This is a second bail application moved by the applicant-accused Ganesh Bhagvan Suryavanshi in connection with CR No.119/2019 registered with Ghoti Police Station for the offence under section 408, 409,420 of the Indian Penal Code.

2. Applicant-accused is facing charges that he has misappropriated the amount of Rs.88 lacs, while he was Manager in a New Bajrang Gramin Bigar Sheti Sahkari Patsanstha Maryadit, Ghoti, Tal. Igatpuri. The Auditor has also found that the applicant-accused has made false entries in the computer and misappropriated the amount for his personal used and thus, cheated the depositors. Therefore, on the basis of the FIR lodged by the Auditor Kashinath Dhavalu Bagul on 6.9.2019 and police have registered the crime against the accused.

3. The present bail application is moved solely on the ground that charge-sheet is filed vide bearing RCC No.22/2022 and is pending on the file of learned JMFC, Igatpuri. The I.O. is present and has confirmed the fact that charge-sheet is filed, however, opposed the bail application stating that accused may misused his liberty, if he is released on bail. The learned APP has also supported the I.O. on this aspect.

4. On the other hand, learned counsel for applicant-accused Shri. Shejwal submitted that it will take time to commence the trial. The offence is triable by JMFC and therefore, the accused will be unnecessarily languishing in jail. He is ready to abide the conditions laid down by this court, these and other grounds set out in the

application, prayed to allow the application.

5. On perusal of the record, it appears that this court has already rejected the bail application bearing Cri.Bail Appln. No.1724/2021 filed by the present applicant-accused on 19.1.2022 mainly on the ground that investigation was in progress and there is misappropriation of huge amount. As stated above the charge-sheet is already filed, offence is triable by learned JMFC, no purpose will be served by keeping the accused behind the bar for indefinite period. Therefore, I am inclined to grant application. Hence, following order is passed.

ORDER

- i) Bail application No.270/2022 is allowed.
- ii) Applicant-accused Ganesh Bhagwan Suryavanshi be released on bail in connection with CR No.119/2019 registered with Ghoti Police Station for the offence under section 408, 409, 420 of the Indian Penal Code, on execution of P.R. bond of Rs.50,000/- with solvent surety in like amount.
- iii) He shall not tamper the prosecution witnesses in any manner and shall remain present in the court on given dates.
- iv) He shall furnish his address proof and mobile number of his two relatives.
- v) In the event of breach of any of the conditions, his bail bonds shall be liable to be cancelled.
- vi) Bail in lower Court.

Date- 04.03.2022

(M. A. Shinde)
Additional Sessions Judge-8,
Nashik.