



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1526 OF 2025

Pradip Laxman Mhaske

VERSUS

The State Of Maharashtra

...

Mr. V. D. Sapkal Senior Advocate i/by Mr. Sapkal Sandip R, Advocate
for Applicant

Mr. N. B. Patil, APP for Respondent/State

Mr. Siddesh A. Deshmukh and Mr. R. B. Mule, Advocate for Assist to
APP

AND

**CRIMINAL APPLICATION NO. 3497 OF 2025
IN BA/1526/2025**

The Parbhani District Central Co-op Bank Ltd Parbhani Br Thr
Rameshwar Tukaram Chandwade

VERSUS

The State Of Maharashtra And Another

...

Mr. Siddesh A. Deshmukh and Mr. R. B. Mule, Advocate for Applicant

Mr. N. B. Patil, APP for Respondent/State

Mr. V. D. Sapkal Senior Advocate i/by Mr. Sapkal Sandip R, Advocate
for respondent No.2

CORAM : SANJAY A. DESHMUKH, J.

RESERVED ON : 08.10.2025

PRONOUNCED ON : 17.10.2025

ORDER :-

**CRIMINAL APPLICATION NO. 3497 OF 2025
IN BA/1526/2025**

1. This is an application seeking permission to assist the APP during
the course of hearing of Bail Application No.1526 of 2025. For the
reasons stated in the application, the same is allowed in terms of prayer
clause 'B' and disposed of.

BAIL APPLICATION NO. 1526 OF 2025

1. Heard.

2. This is an application for grant of regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.359 of 2024 registered at Sonpeth Police Station, District Parbhani, for the offences punishable under Sections 409, 420, 465, 467, 468 and 471 of the Indian Penal Code, 1860.

3. The learned advocate for the applicant pointed out the report in which the informant averred that he is working as a Taluka Loan Officer with the Parbhani District Central Cooperative Bank (PDCC) at Palam, Gangakhed, and Sonpeth branches in the Parbhani District. The head office of the bank is at Parbhani. The informant's job is to plan the recovery of loan amounts. Mr. V. R. Kurundkar is the CEO of the bank. The applicant was working as the Branch Manager of the Shelgaon branch, Taluka Sonpeth District Parbhani. Every branch of the bank uses ORA (Online) software for daily transactions and both the manager and cashier operate it using their own login IDs. As per the rules, no more than Rs. 5,00,000/- (Rupees Five Lakhs Only) should be kept in the branch vault. If the cash exceeds this amount, it must be deposited at the Taluka branch.

4. On 02.04.2024, during the audit of the Shelgaon branch, the Auditor Mr. Nandkishor Sathe noticed a difference between the cash balance shown in the computer system and the actual cash in the vault. The same was informed to the Head Office. On 08.04.2024, the CEO, Mr. Kurundkar called a meeting and directed the applicant to deposit the missing amount in the bank. Accordingly, the applicant deposited that amount. However, later again cash mismatches were found and customer then started to complain. As a result, the bank suspended the applicant and appointed a three member Inquiry Committee. The Committee checked all the transactions handled by the applicant and found clear evidence of misappropriation of huge amount of Rs.3,86,86,974/- (Rupees Three Crores Eighty Six Lakh Eighty Six thousand Nine Hundred and Seventy Four). Their findings were as follows:

- a. 56 fake bank accounts were created using false Fixed Deposit (FDR) numbers involving an amount of Rs.95,78,375/-
- b. In 9 cases, customers had receipts and passbook entries for cash deposits, but the amounts were not entered in the computer system worth Rs.7,25,000/-
- c. In 23 accounts, fixed deposits were broken before maturity and the money was misused worth Rs.7,31,000/-

d. In 12 cases, money was shown as collected but was not recorded in the bank's actual records worth Rs.1,50,28,301/-

e. In 149 savings accounts, money was shown as withdrawn even though the account holders had not withdrawn amount worth Rs.70,96,031/-

5. In total, an amount of Rs.3,86,86,974/- (Rupees Three Crores Eighty Six Lakh Eighty Six thousand Nine Hundred and Seventy Four) was found to be misappropriated by the applicant. Therefore, a report was lodged against the applicant.

6. The learned advocate for the applicant submitted that the applicant has been falsely implicated in the crime. He has not committed any offence. The applicant has roots in the society and he will not flee away from the trial. The trial will take a long period. Considering all these reasons, it is lastly prayed to grant bail to the applicant.

7. The learned advocate for the applicant relied upon the following authorities:

a. ***Sanjay Chandra VS CBI, MANU/SC/1375/2011***, in which the Hon'ble Supreme Court in paragraph No.26 held as under

"15. In deciding bail application an important factor which should certainly be taken into consideration by the Court is the delay in concluding

the trial. Article 21 which is the most basic of all the fundamental rights in our constitution, not violated in such a case of course this is not the only factor, but it is certainly one of the important factors in deciding whether to grant bail.”

b. ***P. Chidambaram Vs. Directorate of Enforcement, MANU/SC/160/2019***, in which the Hon’ble Supreme Court held in paragraph No.21 that basic jurisprudence relating to the bail remains the same inasmuch as the grant of bail is the rule and refusal is the exception so as to ensure that the accused has the opportunity of securing fair trial. However, while considering the same the gravity of the offence is aspect which is required to be kept in view by the Court.

c. ***Manish Sisodia Vs. Central Bureau of Investigation, MANU/SC/1193/2023***, in which the Hon’ble Supreme Court held in Paragraph No.26 that the allegation is one of grave economic offence, it is not rule that bail should be denied in every case. Ultimately, the consideration has to be made on a case to case basis, on the facts. The primary object is to secure the presence of accused to stand trial.

d. ***Satendar Kumar Patil VS. Central Bureau of Investigation, (2022) 10 SCC 51***, in which it is held that it is not advisable on the part of the Court to categorize all the economic offence into one group and deny bail on that basis.

e. ***Vipul Chitalia Vs. CBI and Another, 2022 DGLS(Bom.) 4416,*** in which it is held that the applicant being crystallized in the charge sheet, he deserve his release on bail and merely because he is to face a trial in an economic offence, he cannot be robed of his liberty.

f. ***Avinash Nivritti Bhosale Vs. Central Bureau of Investigation,*** in Bail Application No.2383 of 2023, in which it is held that basic jurisprudence relating to the bail remains the same inasmuch as the grant of bail is the rule and refusal is the exception so as to ensure that the accused has the opportunity of securing fair trial. However, while considering the same the gravity of the offence is in aspect which is required to be kept in view by the Court.

g. ***Gajanan Vitthal Koparade Vs. The State of Maharashtra,*** in Criminal Bail Application No.1145 of 2024, in which it is held that though the offence under MPID Act is triable by the Special Judge under MPID Act, all the other offences under the IPC are referred to by the Hon'ble Supreme Court in that order. Apart from those offences, the offence under Section 3 of the MPID Act which is triable by the MPID Judge, provides for the maximum punishment of six years, which is one year lesser than the punishment provided under Section 420 of the IPC.

h. ***Krishna Damani Vs. State of West Bengal, SLP (Cri.) 6954/2024,*** in which it is held that after the charge sheet is filed, considering

the nature of the offence, there is no reason to deny bail to the applicant. If there is any apprehension that the appellant may try to influence the prosecution witness, appropriate conditions can be always imposed while releasing the appellant on bail.

8. The learned APP for the State, assisted by the learned advocate for the informant, strongly opposed the application and submitted that the applicant misappropriated an amount of Rs.3,86,86,974/-. It is huge amount and there will be wrong message in the society that even if such crimes are committed the accused are released on bail. If the applicant is released on bail, he may commit same nature of crime again and pressurize the prosecution witnesses and tamper with the evidence. It is lastly prayed to reject the application.

9. Perused the report and other documents on record. From the FIR itself, it is crystal clear that the applicant has committed a serious economic crime. The statement of cashier Bhise clarifies that the confidential ID and password were given to the applicant. Thus, there is prima facie material to show that the applicant misappropriated a huge amount of Rs.3,86,86,974/-. The details of the misappropriation, as collected by the Investigating Officer, are as under :

अ. क्र	खाते प्रकार	अपहार रक्कम	जबाबदार कर्मचा—याचे नाव		खातेदार संख्या
			प्रदिप लक्ष्मण मस्के शाखाधिकारी ID No.1412	उध्दव ज्ञानोबा भिसे रोखपाल ID No.1627	
१.	FDR ला बनावट नंबर देवून केलेला अपहार	९६,७८,३७५/-	९६,७८,३७५/-	-	५६
२.	पासबुकवर नोंद आहे जमा पावतीवर कॅश शिक्का आहे परंतु ओरो संगणक सिस्टिमला नोंद नाही	७,२५,०००/-	७,२५,०००/-	-	०९
३.	मुदतपुर्व FDR परस्पर मोडून केलेला अपहार	५४,२८,२६७/-	२७,१४,१३३/-	२७,१४,१३३/-	२३
४.	अर्वत ठेव खात्यावर कर्ज उचलून केलेला अपहार	७,३१,०००/-	३,६५,५००/-	३,६५,५००/-	०३
५.	बँक कलेक्शन नसतांना परस्पर बँच बीला नावे देवून केलेला अपहार	१,५०,२८,३०१/-	७५,१४,१५१/-	७५,१४,१५१/-	१२
६.	विडाल नसतांना बचत खात्याला नावे देवून केलेला अपहार	७०,९६,०३१/-	३५,४८,०१६/-	३५,४८,०१६/-	१४९
	एकूण	३,८६,८६,९७४/-	२,४५,४५,१७५/-	१,४१,४१,७९९/-	२५२

10. I have perused the charge-sheet. Nobody will dispute the ratio laid down in the authorities cited by the applicants supra. It is well settled law that each case has to be decided on its own merits and the facts of each case are decisive. The facts of this case are different and huge amount of Rs.3,86,86,974/- is alleged to have been misappropriated by the applicant. It is serious case of misappropriation of the amount of general people. Therefore, imposing condition and granting him bail would not be proper in the different set of the facts of this case. Hence, the case laws relied upon by the learned advocate for the applicant are not helpful to the applicant as

this case is serious one.

11. The allegations against the applicant are that out of Rs.3,86,86,974/-, he had misappropriated an amount of Rs.2,45,45,175/-. In such circumstances, if the applicant is released on bail, he will certainly pressurize the prosecution witnesses and tamper with the evidence. Therefore, considering the aforesaid reasons and the serious nature of the crime, the applicant cannot be released on bail on the principle that bail is rule and jail is the exception. Considering the specific role of the applicant and the huge amount misappropriated by him certainly the bail application of the applicant deserves to be rejected. Hence the following order:

::ORDER::

- a. The Bail Application is rejected.

[SANJAY A. DESHMUKH, J.]

HRJadhav