

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 776 OF 2015

Satish Anant Patekar

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Kapil P. Dave for Applicant

Mr. Ajay David for Original complainant

Ms. P. P. Shinde APP for the State.

Mr. Ajitkumar Vartak, P.I. Vanrai Police Station

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 1st JULY 2015

PC :

Heard. This is an application under section 438 of Code of Criminal Procedure, 1973. Applicant herein is apprehending his arrest in crime no. 8 of 2014 registered at Vanrai Police Station for offence punishable under sections 406, 409, 465, 467, 468, 471, 420, 120 (B) r/w 34 of Indian Penal Code.

2) It is the case of prosecution that applicant herein was member of loan committee of Bhandari Co-operative Bank. That during the period 2006-2011, loan committee had sanctioned and was instrumental in disbursing about 50 bogus loans thereby had caused huge economic loss to the bank. It is alleged that they were unsecured loans and therefore, recovery proceedings would not

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be effected.

3) Learned counsel for the applicant vehemently submits that during the pendency of his application seeking pre-arrest bail, he had attended the police station on various occasions and had tendered all the necessary documents as required by Investigating Officer and had co-operated with the investigating agency to the best of his capacity. In view of this, learned counsel for the applicant submits that custodial interrogation of the applicant would not be imperative as there were several directors who were arrested. Said arrested directors were similarly placed. It is further submitted that applicant would continue to co-operate with the investigating agency. It is also submitted that recovery proceedings are in progress and that he has subjected himself to the enquiry under section 88 of Maharashtra Co-operative Society Act, 1960.

4) In view of this, applicant deserve grant of pre-arrest bail. However, it is made clear that observations made herein above are prima facie in nature and shall not be considered for quashing of F.I.R., discharge application or at the time of trial.

ORDER

(i) Application is allowed.

- (ii) In the event of arrest, applicant be enlarged on bail on furnishing P. R. bond in the sum of Rs. 25,000/- with one or two solvent sureties in the like amount.
- (iii) Applicant shall report to Vanrai Police Station on first Sunday of every month for the next six months between 10.00 a.m. to 01.00 p.m. and co-operate with the investigating agency to the best of his capacity.
- (iv) Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)