

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1115 OF 2015

Namdeo Shankar Talpe	... Applicant
vs.	
The State of Maharashtra	... Respondent

Mr. Harshad Nimbalkar i/b. Mr. Satyam Nimbalkar, for the Applicant.

Mrs. R.V. Newton, APP for Respondent – State.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **AUGUST 04, 2015**

P.C.:

1. The application is moved for pre arrest bail as the applicant/accused apprehends arrest in C.R. No. 221 of 2015 registered with Rajgurunagar police station, Tal.Khed, Pune for the offences punishable under Sections 406, 409 and 420 read with 34 of the Indian Penal Code.

2. It is the case of the prosecution that the applicant/accused is working as a Branch Manager at “Pune District Central Cooperative Bank Limited” branch Dehane and the said bank used to give loan on the hypotheticated gold. As per the report submitted by the vigilance branch of the said bank, 741 borrowers were given loan to the tune of

Rs. 340.98 lacs against the gold. Out of these, 173 borrowers hypotheticated fake gold ornaments against which the bank officers including the applicant/accused have disposed Rs. 178.35 lacs loan. After the verification of the accounts of these transactions, it was noticed that the bank manager/applicant Namdeo Talpe along with the approved gold valuer Sunil Sonar, a co-accused, the cashier-accountant Murlidhar Ranpise have jointly cheated the bank and misappropriated the amount to the tune of Rs. 1,92,36,252/-. *Inter alia* the recovery cum zonal officer Balasaheb Devdare gave information to the police and pursuant to which the offence was registered at C.R. No. 221 of 2015.

3. The learned counsel for the applicant/accused has submitted that the applicant/accused is innocent. He has not committed any offence. A particular procedure is adopted while giving loan against the hypotheticated gold. At the most, the offence of negligence can be levelled against the applicant/accused as he did not followed the procedure diligently. However, he has not committed any offence much less misappropriation and cheating in respect of the bank. He submitted that the applicant/accused is ready to cooperate

the police and therefore he is to be protected.

4. The learned prosecutor has opposed the application. She relied on the first information report of the Zonal officer. She submitted that the fake gold ornaments were accepted and kept in the bank against which the loan was disbursed.

5. Perused the first information report and the order passed by the learned Additional Sessions Judge, Khed-Rajgurunagar. *Prima facie* it can not be said that it is the only case of negligence. Though there are procedural lapses, the charges levelled against the applicant/accused are very serious. The learned Sessions Judge has rightly observed that this is the offence against the public money and the manner in which the offence is committed, it needs custodial interrogation. Therefore, I am not inclined to grant pre arrest bail to the applicant/accused.

6. The anticipatory bail application stands rejected on the above terms.

(MRS.MRIDULA BHATKAR, J.)