

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

Criminal Application (ABA) No. 425 of 2016

Vilas v. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Sk. Sabahat Ullah, Advocate for applicant
Shri A. M. Deshpande, Addl. PP for respondent-State

Coram : S. B. Shukre, J

Dated : August 19, 2016

1. Heard learned counsel for the parties. Perused the reply filed by the prosecution and the case diary.

2. It is seen that specific role has been attributed to this applicant in the commission of the offences punishable under Sections 409, 420, 468, 471 read with Section 34 of the Indian Penal Code and this would require custodial interrogation of the applicant. This applicant, firstly, in the capacity as Cashier-cum-Accountant and later on, in the capacity as Branch Manager of Deoli Branch of the concerned Bank, was prima facie party to the creation of various accounts in the name of persons who never approached the Bank for opening of the account and who never expressed any willingness to open any account and thereafter several transactions were made in these accounts and even the loans were shown to be disbursed to these account holders. The loan amounts were allowed to be withdrawn in the name of account holders although there were no genuine documents regarding opening of the accounts or showing any intention to avail of any loan from the Bank. This applicant, it is alleged, has issued blank passbooks to one of the co-accused

who later on misused the same. This applicant's involvement in the crime is thus established and there is no prima facie material showing his innocence or false implication. Hence, I am not inclined to grant bail to the applicant.

Learned counsel for the applicant at this stage points out that the amount which is claimed to be misappropriated by this applicant, has already been deposited by all the accused persons. I have already stated the reasons why the custodial interrogation of the applicant would be required. The application is, therefore, rejected.

JUDGE

joshi

Certificate

I certify that this order uploaded is a true and correct copy of the original signed order.

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H S Joshi, PS to Honourable Judge

Uploaded on : 20.8.2016