

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1792 OF 2022

Namdev Baburao Bhoge ...Applicant

Versus

The State Of Maharashtra And Another ...Respondents

ALONG WITH
ANTICIPATORY BAIL APPLICATION NO.1788 OF 2022

Rohidas Laxman Kardile ...Applicants

Versus

The State Of Maharashtra And Another ...Respondents

Mr. R.R. Karpe, Advocate for the applicants.

Mrs. R.P. Gour, APP for the respondents.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 18th JANUARY, 2023

ORDER :

1. Applicants apprehend arrest in Crime No. 729/2020, registered with Newasa Police Station, Ahmednagar, for offences punishable under sections 420, 120-B, 406 read with 34 of the Indian Penal Code and under section 3 of Maharashtra Protection of Interest of the Depositors (In Financial Establishments) Act, 1999.

2. FIR is lodged by Laxman Ishtke alleging that the applicants are the directors, officers and employees of

Bhairavnath Gramin Bigar Sheti Sahakari Patsanstha Maryadit. Fixed deposits were kept in the said Patsanstha by informant and others. However, on maturity the same were not given back to them.

3. Heard the learned advocate for the applicants and learned Additional Public Prosecutor for the respondents. Perused the investigation papers.

4. In the FIR, 3 persons are arrayed as accused who are directors and employees of said Patsanstha. It appears from the record that in the audit report no illegality is found. Depositors were being paid handsome interest. However, due to inflation and other economic reasons there was some sort of set back to the business. However, Patsanshta had no intention to misappropriate the amounts of depositors. Certain mismanagement appears to be there, but prima facie, there is no criminal element found.

5. Co-accused in the present crime are granted protection by this Court. Hence, on the ground of parity also applicants are entitled for protection. In the result, applications are allowed by confirming the interim protection.

6. Till filing of charge sheet, applicants shall attend the concerned police station as and when called by the investigation officer and shall co-operate in the investigation. The applicants shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]