



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.975 OF 2024

Sapna Amit Pandit
VERSUS
The State Of Maharashtra

WITH
ANTICIPATORY BAIL APPLICATION NO.976 OF 2024

Satwik Amit Pandit
VERSUS
The State Of Maharashtra

WITH
ANTICIPATORY BAIL APPLICATION NO.977 OF 2024

Satyendra Kumar Rawat
VERSUS
The State Of Maharashtra

...
Advocate for Applicants : Mr. More Kumar Gaurav
APP for Respondent/State : Mr. S.P. Sonpawale

...
CORAM : S.G. MEHARE, J.

DATED : OCTOBER 16, 2024

PER COURT:-

1. Heard learned counsel for the applicants and learned APP for the State.
2. The applicants seek pre-arrest bail in Crime No.121 of 2022 registered with Kotwali Police Station, District Ahmednagar for the offences punishable under Sections 409, 420, 467, 468, 471, 120-B r/w 34 of the Indian Penal Code and Sections 3, 4 and 5 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999.

3. The applicants have a case that they are the co-borrowers. Hence, they have no concern with the transaction of the borrowers. The principle borrower was also arrested. As per the directions of this Court, he has deposited the huge amount of Rs.10 Crores with Court and Rs.3 Crores before the DRT. In this way, the entire loan amount has been repaid. They being the co-borrowers, have no direct responsibility and concern with the loan transaction. Therefore, they may be protected from arrest.

4. Learned counsel for the applicants would submit that he has also represented the principle borrower. He has been granted bail on conditions. He complied with the orders of the Court and deposited a huge amount of Rs.10,64,00,000/-. However, the learned APP would submit that he has no instructions whether the cheques issued by the co-accused have been released or not. Against this, learned counsel for the applicant would submit that he has sworn in an affidavit and the bank issued the release deed of mortgaged property. In view of his statement, there is no confusion that the amount as mentioned above has not been deposited.

5. Considering the allegations levelled against the applicants and their post incident conduct, the Court is of the view that their custodial interrogation is not essential. Hence, they deserve pre-arrest bail. Hence, the following order :

ORDER

- (i) All Anticipatory Bail Applications are allowed.
- (ii) The order granting interim protection to the applicants dated 20.06.2024 stands confirmed on the condition that they should attend the trial on each and every effective date.

(S.G. MEHARE, J.)