



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

22 ANTICIPATORY BAIL APPLICATION NO. 1528 OF 2024

GOVIND MURLIDHAR CHOPDE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Suryawanshi Surendra V.

APP for Respondent/State : Mr.A.S. Shinde

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CORAM : S. G. MEHARE, J.

DATE : 14th October, 2024.

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant seeks pre-arrest bail in Crime No.243 of 2024 registered with Kotwali Police Station, Parbhani, for the offences punishable under sections 406, 409, 420, 120-B of the Indian Penal Code and sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999.
3. The applicant has apprehension of his arrest as the Economic Offence Wing has issued a notice to his brother directing him to bring the applicant for investigation.
4. The applicant had a case that he was not named in the F.I.R. He had no concern with the alleged crime registered against the other officers of the bank. Police did not call him directly. However, subsequently the Investigating Officer called him on mobile phone

without clarifying the purpose for which they wanted his presence for investigation. The applicant was just a clerk in one of the branches of the Multi-State Co-operative bank. He has no role to play in the crime.

5. The learned APP has produced the large number of papers of investigation. He has no specific instructions, why the presence of the applicant is essential. The entire papers produced before the court do not show that the applicant has prima facie concern with the alleged incident or there was prima facie material against the applicant to arraign him as an accused in the crime. It appears from the facts of the case that an intention of the Investigating Officer calling the applicant is not clear. So inference may be drawn that he might have been called for other purpose, which may not be legal.

6. Prima facie, the applicant has a strong case. As there is no material before the Investigating Officer to indulge the applicant in the crime. Therefore, his arrest is not essential.

7. For the above reasons, the applicant deserves pre-arrest bail. Hence, the following order:

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest of applicant, applicant **GOVIND MURLIDHAR CHOPDE** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of like amount, in the above crime, for the

aforementioned offences, on the following conditions :

- (a) The applicant should attend the police station if called on written notice by the Investigating Officer till filing the charge-sheet.

[S. G. MEHARE, J.]

sga