

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1846 OF 2024

Rahul Fulchand Warpe

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. Salunke Sudarshan J
APP for Respondent/State : Ms. Vaishali S. Choudhari

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CORAM : S.G. MEHARE, J.

DATED : OCTOBER 22, 2024

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No.89 of 2024 registered with Kaij Police Station, District Beed for the offences punishable under Sections 406, 409, 420. 120-B, 201 r/w 34 of the Indian Penal Code and Section 3 and 4 of the MPID Act.
3. It has been alleged against the applicant he was the cashier in the Patsanstha. Some of the depositors had been to the Patsanstha and made the inquiry about the rate of interest. He told the so-called depositors, the existing rate of interest on deposits. Before this incident, in a audit, it was transpired that the applicant and the Branch Manager had kept cash more than the limit.

Therefore, separate crime was registered. In that crime, the Court granted pre-arrest bail to him.

4. Herein the case, the allegations are against the Directors with the applicant that they siphoned the depositors money. Learned APP has pointed out a letter addressed to the Assistant Registrar, in which the applicant admitted that he had kept exceeding cash than the statutory limit. They had shown willingness to pay that amount. However, they did not pay. Therefore, they have siphoned the said amount and it has connection with the present crime.

5. Perusal of the papers reveals that the allegations against the applicant are that some of the depositors had been to the bank for inquiry about the rate of interest on the deposits. He told them the then existing rate of interest on deposits. For keeping the cash more than the limit, a separate crime has been registered. Therefore, that cannot be linked with this crime. There is nothing against the applicant to show that he has been benefited from the defrauded money of the depositors. In the circumstances, he deserves bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Rahul Fulchand Warpe, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees

(3)

Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that ;

(a) The applicant should not tamper with the prosecution witnesses and should attend the trial on each and every date.

(S.G. MEHARE, J.)

Mujaheed//