



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

35 ANTICIPATORY BAIL APPLICATION NO. 1950 OF 2024

1. SANTOSH GULABRAO THUBE
2. PRAMOD NARAYAN LONDHE
3. BHAUSAHEB BABAN NAWALE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Narwade Narayan B.
APP for Respondent/State: Mr. G. O. Wattamwar

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WITH

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ANTICIPATORY BAIL APPLICATION NO. 1951 OF 2024

SHAMSHODDIN GULABBHAI INAMDAR

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Narwade Narayan B.
APP for Respondent/State: Mr. G. O. Wattamwar

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WITH

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ANTICIPATORY BAIL APPLICATION NO. 1952 OF 2024

1. UDAYKUMAR BALWANT SONAWALE
2. BHAGWANT CHANDRAKANT THUBE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Narwade Narayan B.
APP for Respondent/State: Mr. G. O. Wattamwar

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CORAM : ARUN R. PEDNEKER, J.

DATE : 09th DECEMBER, 2024

PER COURT:

ABA/1950/2024

1. The learned counsel points out that as per the prosecution case the period of embezzlement in the present crime is 10 month from 22.04.2022 to 14.02.2023. At the relevant time the applicants were the Directors of the Bank and the amount in embezzlement is about Rs.42 crores. The loans disbursal is to the tune of Rs.60 to 70 crores and actual embezzlement is of about Rs.42 Crores.

2. The learned counsel for the applicant submits that the entire functioning of the bank was in the hands of the Chairman and Manager of the Bank. At the relevant time, although, the present applicants were the Directors they had not participated in any of the loan disbursal; as is reflected from the provisional audit report and that they had applied to the Manager and Chairman to hold the board meeting, which the Chairman failed to do so and he had granted the loans as if the bank is a private institute owned by the Chairman and at the relevant time he had disbursed all the loans. It is further contended that the applicants are not prima facie responsible.

3. The learned APP points out that the audit report is not accepted and is awaiting acceptance and there are objections to the audit report. He also submits that the applicants are the Directors at the relevant time and they had not applied to accept their resignation to the

registrar / authority nor they have brought the wrongdoings of the Chairman to the notice of the registrar / authority. The applicants are the trustees of the funds deposited by the customers and that the applicants cannot claim that they were not aware about the wrongful grant of huge loans.

4. Considering the serious nature of the crime this matter would require custodial investigation. As such, the prayer for grant of anticipatory bail to the applicants / Directors cannot be accepted.

5. Anticipatory Bail Application No.1950 of 2024 stands rejected.

ABA/1951/2024

6. The learned counsel for the applicant submits that he is the Vice-chairman of the Bank at the relevant time and his role is only to help the Directors.

7. In view of the dismissal of Anticipatory Bail Application No.1950 of 2024, of the Directors, no anticipatory bail can be granted to the present applicant. Anticipatory Bail Application No.1951 of 2024 stands rejected.

ABA/1952/2024

8. In this case also the applicants are the Directors. AS such, there case is similar to Anticipatory Bail Application No.1950 of 2024.

9. In view of the above, Anticipatory Bail Application No.1952 of 2024 stands rejected.

[ARUN R. PEDNEKER, J.]

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