



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

928 ANTICIPATORY BAIL APPLN. NO.1982 OF 2024

**VIJAY DINKAR KAKADE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant : Mr.A.M.Gaikwad h/f.
Mr.M.V.Kalyane
APP for Respondent-State : Mr.G.O.Wattamwar
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 10.12.2024

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is apprehending arrest in connection with Crime No. 532 of 2024, registered at Parner Police Station, Taluka Parner, District Ahmednagar, for the offences punishable under Section 409, 420, 34 of the IPC and Section 3 of the Maharashtra Prevention of Interest of Depositors Act, 1999.

3] This Court, by order dated 9th December, 2024 dismissed Anticipatory Bail Application No. 1950/2024 along with connected matters of the applicants therein who

were the Directors of the Bank at the relevant time and although it was contended by the Directors that they had resigned, they had not taken any steps to accept their resignation before the Registrar / Authority, nor they have brought the wrong doings of the Chairman to the notice of the Registrar / Authority. However, in the instant case, on 07.07.2022, the applicant submitted his resignation as a Director to the Chairman and Manager of the Path Sanstha. Thereafter again, the applicant has submitted reminder on 31.01.2023 and requested to accept his resignation. The applicant has also informed the Commissioner, Co-operative Department, Pune, by letter dated 07.02.2023 thereby requested to direct the Chairman / Manager of the Path Sanstha to accept the resignation of the applicant dated 07.07.2022. After several communication from the Co-operative Department, the Chairman / Manager of the Pat Sanstha on 12.12.2023 communicated to the authorities that the resignation of the applicant is accepted from the date of submission of his application.

4] In view of the above that the resignation of the applicant was accepted from 07.07.2022, the applicant cannot be said to be involved in the alleged crime as at the relevant time the applicant was not the Director of the Bank. In view of the same, the application is allowed in the following terms :

i] In the event the applicant is arrested in connection with Crime No.532 of 2024, registered at Parner Police Station, Taluka Parner, District Ahmednagar, for the offences punishable under Section 409, 420, 34 of the IPC and Section 3 of the Maharashtra Prevention of Interest of Depositors Act, 1999, he shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant shall attend the concerned police station as and when called by the Investigating Officer.

iii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

5] In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

6] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

7] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC