



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

921 ANTICIPATORY BAIL APPLICATION NO.1352 OF 2024

RADHESHYAM S/O. DHONDIRAM ZANWAR

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

...

Advocate for the applicant : Mr.Aditya Lokhande h/f.

Mr.S.S.Tope

APP for Respondent-State : Mr.S.P.Sonpawale

Advocate for Assist to P.P. : Mr.R.D.Biradar

...

AND

ANTICIPATORY BAIL APPLICATION NO.1354 OF 2024

VIDYADHAR S/O.VISHWANATH VAIDYA

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

...

Advocate for Applicant : Mr.S.S.Gangakhedkar

APP for Respondent-State : Mr.S.P.Sonpawale

Advocate for Assist to P.P. : Mr.R.D.Biradar

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CORAM : ARUN R. PEDNEKER, J.

DATE : 12.11.2024

P.C. :

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

2] The applicants have approached this Court apprehending arrest in connection with FIR No. 0148/2024, registered at Udgir City Police Station, Tq. Udgir, District Latur, for the offences punishable under sections 420, 406,

409, 120-B r/w. 34 of the Indian Penal Code and Section 3 of the Maharashtra Protection of Interest of Depositors [In Financial Establishments] Act, 1999.

3] The applicants are the employees of Rajasthani Multi-State Co-operative Credit Society. Having perused the FIR, the persons mentioned in FIR at serial Nos. 1 to 18 are the Managing Directors of the said society. However, the learned counsel for the applicants submits that the persons mentioned in FIR at Serial Nos.1 to 15 are the Board of Directors of the said Society and the persons mentioned at serial Nos. 16 to 18 are the employees of the said Society. As regards the present applicants are concerned, they are the employees of the Society and not the Board of Directors of the Society as mentioned in FIR. The learned counsel further submits that the job of the applicants are limited only to disburse the loan and the allegations made in the FIR which relates to grant of loan without security. The learned counsel further submits that the applicants have not received any loan from the society, nor loan has been disbursed to any of the persons related to the applicants. There is no material place on record to show that the applicants have taken loan from the society and have not repaid the same, so also, to their relations.

4] In view of the same, *prima facie*, the applicants are the employees of the Rajasthani Multi-State Co-

operative Credit Society and not the Board of Directors of the said society, so also, there is no further material to show that the applicants have disbursed any loan and they have taken benefits of any transaction.

5] In the meanwhile, there shall be interim order in the following terms :-

A] Till the next date, in the event the applicants are arrested in connection with FIR No. 0148/2024, registered at Udgir City Police Station, Tq. Udgir, District Latur, for the offences punishable under sections 420, 406, 409, 120-B r/w. 34 of the Indian Penal Code and Section 3 of the Maharashtra Protection of Interest of Depositors [In Financial Establishments] Act, 1999, they shall be released on bail on furnishing PR bond of Rs.50,000/- each, with one or two sureties in the like amount.

B] The applicants shall attend the Police Station as and when called by the Investigating Officer.

C] The applicants shall co-operate with the investigation, including producing all documents in their possession, as may be demanded by the investigating officer.

D] The applicants shall not influence the informant, witnesses or any person concerned with the case and they shall not tamper with the evidence.

6] Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

7] The learned APP seeks time to place on record material as regards the antecedents.

8] List these applications on 03.12.2024.

[ARUN R. PEDNEKER]
JUDGE

DDC