IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.255 OF 2024

Amitabh Gunjan …..Applicant
Versus
State of Maharashtra .... Respondent

Mr. Karansingh Rajput, Advocate a/w. Sneha Ankush Dhanvijay for the Applicant.
Smt. M.H. Mhatre, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 31st JANUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.318/2022 registered with Alibag Police Station, District-Raigad under Sections 406, 420, 465, 467, 468 and 471 read with 34 of IPC.

2. Heard Mr. Karansingh Rajput, learned counsel for the Applicant and Smt. M.H. Mhatre, learned APP for the Respondent-State.

3. The FIR is lodged by one Mendrakumar Singh. He was the Regional Manager working with the State Bank of India. The FIR pertains to the 28 fraudulent loan transactions. The amount involved is Rs.83,19,427/-. The allegations are that from 2018 to 2022 the customers obtained personal loan on the basis of their salary account. On scrutiny it was noticed that these accounts were opened and loans were sanctioned based on forged documents. On these allegations, the FIR is lodged.

4. Learned counsel for the Applicant submitted that the Applicant is not named in the FIR. He was not the final authority to sanction the loans. The loan proposals were received on-line and, therefore, there was no scope for the bank officers to commit any mischief. He further submitted that the period of alleged offence is from 2018 to 2022. However, the Applicant had worked in that particular branch as a Front Desk Officer from 1.4.2019 to 15.9.2021. Therefore, this fraud was going on much prior to his joining with Branch and continued after he left that Branch.

5. Learned APP, on instructions, submitted that there are statements of customers that the documents for obtaining credit card were handed over to him but they were misused for obtaining fraudulent loans. All these amounts sanctioned were transferred to some accounts from where the amounts were siphoned off. She submitted that it was the Applicant's duty to scrutinize all the documents. He himself had sanctioned 22 loan applications and has recommended sanctioning of 20 loan applications. Therefore, his involvement is clear.

6. I have considered these submissions. Learned counsel for the Applicant's submission that the fraud was going on before his joining the Branch and it continued after his leaving the branch, has some merit. His exact role is to be ascertained. For that purpose, the Applicant will have to cooperate with the investigation by remaining present before the investigating agency. Therefore, today I am protecting him by way of ad-interim relief.

7. Hence, the following order:

ORDER

(i) In the event of his arrest in connection with C.R.No.318/2022 registered with Alibag Police Station, District-Raigad, till the next date, the Applicant be released on bail on his executing P.R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

(ii) This order shall operate till 14.3.2024.

(iii) The Applicant shall attend the concerned Police Station from 20.2.2024 to 23.2.2024 between 1:00 p.m. to 5:00 p.m. and thereafter as and when called. He shall cooperate with the investigation.

(iv) Stand over to 14.3.2023.

(SARANG V. KOTWAL, J.)