



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

934 ANTICIPATORY BAIL APPLICATION NO. 207 OF 2025

Babasaheb Kisan Chavan

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. S. V. Jadhwar h/f Mr. Abhijeet V. Thombre

APP for Respondents-State: Mr. B. B. Bhise

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CORAM : ARUN R. PEDNEKER, J.

Dated : March 11, 2025.

PER COURT :-

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

2. The applicant has approached this Court apprehending arrest in connection with Crime No.0004/2025, registered with Pimpalner Police Station, Taluka and District Beed, for the offence punishable under Sections 318 (4), 316 (2), 316 (5), 238 and 4 (5) of the Bharatiya Nyaya Sanhita and under Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments] Act, 1999.

3. This Court, by order dated 26/02/2025, granted interim protection to the applicant, considering the submissions made by the applicant in paragraphs No.3 and 4, and for the reasons stated in paragraph No.5, as under : -

“3] The learned counsel for the applicant submits that the applicant is the employee of the Bank and he receives salary of Rs.3677/- and Rs.5600/-. He further submits that as per the allegations the depositors have deposited the total amount of Rs.32 lacs in the bank. He further submits that there are no loans given to any person and the money

has to be in the bank. He further submits that the Chairman of the Bank is not traceable and all the records of the Bank are with the Chairman and the present applicant is not responsible for the alleged crime.

4] The learned APP submits that the Bank is very small and only the Manager and two employees are working in the Bank. The learned APP submits that the role of the applicant is active in accepting the deposits.

5] However, prima facie, there are no material showing that the applicant has taken benefit from the amount deposited by the depositors. In view of the same, the applicant is granted interim protection in the following terms

4. The learned counsel for the applicant submits that the applicant has cooperated with the investigation. The learned APP today submits that the main accused has been arrested and does not dispute the cooperation of the present applicant with the investigation.

5. Considering that the applicant is an employee of the bank, has no direct role in the commission of the crime, and has not taken any benefit from the depositors' amount, and in view of the fact that the main accused responsible for the functioning of the bank has been arrested, the interim protection granted by order dated 26/02/2025 is confirmed.

6. In view of the above, the application is allowed in the following terms: -

i] In the event the applicant is arrested in connection with Crime No.0004/2025, registered with Pimpalner Police Station, Taluka and

District Beed, for the offence punishable under Sections 318 (4), 316 (2), 316 (5), 238 and 4 (5) of the Bharatiya Nyaya Sanhita and under Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments] 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 police station as and when called by the police.

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.

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

8. 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.

9. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.