



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

41 ANTICIPATORY BAIL APPLN NO. 257 OF 2025

1] UMAKANT SHANKARRAO PATIL

2] SAIREDDY SAILU SURKUNTE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicants : Mr.U.B.Deshmukh

APP for Respondent-State : Mr.A.A.A.Khan

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 10.03.2025

P.C. :

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

2] The applicants are apprehending arrest in connection with Crime No.285/2024, registered with Biloli Police Station, Taluka Biloli, District Nanded, for the offence punishable under Section 420 r/w. 34 of the IPC.

3] This Court, by order dated 24.02.2025, has granted interim protection in favour of the applicants for the submissions and reasons stated in para nos.3 to 6, as noted below :

3] The allegation against the applicants is that the amount of Rs.70,000/- was withdrawn from the account of the informant from 12.06.2015 to 05.05.2021.

4] The learned counsel for the applicants submits that the applicants have been falsely implicated in the case and that the incident in question had taken place during the period of Covid-19 and that at that time number of persons used to visit the bank for withdrawal. The learned counsel further submits that in the covid 19 the brother of the informant has approached the applicants for withdrawal of the amount and informed that the informant is not well due to covid-2019 and he wants Rs.12,000/- for medical purpose and the applicants verified the said fact from the informant on phone and thereafter, the amount of Rs.12000/- was released in the name of the brother of the informant. To that effect, the department inquiry was also conducted against the present applicants. The applicants have deposited the said amount and the same has been withdrawn by the account holder on 31.11.2023. On the basis of the said allegation, the present FIR is lodged against the applicants and other co-accused on 17.10.2024 after a period of one year. The learned counsel for the applicants further submits that the applicant no.1 joined at Kasrali Branch and worked there from 30.07.2020 to 25.08.2020 whereas the applicant no.2 joined the said branch on 27.12.2019 and transferred on 30.06.2023.

5] The learned APP submits that custodial interrogation of the applicants is necessary as they are responsible for the alleged crime.

6] Considering the rival submissions, prima facie it appears that the applicants have deposited the amount in the account holder and the account holder has withdrawn the same and the present FIR is registered after one year..

4] The learned counsel for the applicants submits that in terms of aforesaid order, the applicants have attended the concerned police station and have co-operated with the investigation. The applicants have deposited the

amount in the Head office and the same is transferred in the account of the complainant and the complainant has withdrawn the same.

5] Considering this aspect of the matter and considering that the applicants have co-operated with the investigation, the interim protection granted by order dated 24.02.2025 stands confirmed, in the following terms :

i] The applicants shall attend the concerned police station as and when required by the investigating officer.

ii] The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

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

6] In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

7] 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.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC