



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

ANTICIPATORY BAIL APPLICATION NO. 415 OF 2025

GAHININATH UMESH SAINDANE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant :

Mr. Wasif Shaikh h/f. Mr. Narwadkar Mrigesh D.

APP for Respondent/State: Mr. S. K. Shirse

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CORAM : ARUN R. PEDNEKER, J.

DATE : 27.03.2025

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.61/2025, dated 08.02.2025, registered at Ramanand Police Station, Jalgaon, Taluka & District Jalgaon, for the offences punishable under Sections 316(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023.

3] This court by order dated 25.03.2025 granted interim protection to the applicant noticing the submissions at para 3, as under:

“3] The learned counsel submits that pursuant the registration of the crime one Gaurav Sunil

Tiwari in whose account the amount is transferred has repaid the amounts back to the Bank or the Investigating Officer. He submits that the Gaurav Sunil Tiwari has been granted interim protection by this court vide order dated 13.03.2025, passed in ABA/410/2025. The learned counsel for the applicant submits that he is the Cashier in the bank and he has not initiated the transfer, which was initiated at the instance of the Bank Manager Mr. Sandesh Jain. He has produced the communication to that effect at page no.44 and based on that communication issued by the Bank Manager - Mr. Sandesh Jain, the voucher was granted. He submits that in the internal inquiry the Bank Manager -Mr. Sandesh Jain has already confessed to the internal fraud / irregularity and, thereafter, the amounts has also been recovered by the bank.”

4] The learned counsel appearing for the applicant submits that in pursuance of the interim protection order passed, the applicant has cooperated with the investigation.

5] Considering the same, prima facie, as the applicant is the Cashier of the Bank, who had initiated the transfer on the basis of the communication made by the Bank Manager, the interim protection granted by order dated 25.03.2025 stands confirmed, on the following terms:

i] The applicant shall attend the police station as and when required by the Investigating Officer.

ii] 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.

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

6] In the event, the applicant violates 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

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