



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

913 ANTICIPATORY BAIL APPLICATION NO. 2112 OF 2024

SAYYAD AZHAR AKBAR

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. S. J. Salunke
APP for Respondents-State: Mr. B. B. Bhise

...

WITH

ANTICIPATORY BAIL APPLICATION NO. 513 OF 2024

1. JYOTI W/O. SUDHAKAR @ SUDHIR PARKHE

2. JAHEDA JAHUR SAYYED

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. S. G. Kawade
APP for Respondents-State: Mr. B. B. Bhise

...

WITH

ANTICIPATORY BAIL APPLICATION NO. 516 OF 2024

SUREKHA W/O. RAJEBHAU WARPE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. S. G. Kawade
APP for Respondents-State: Mr. B. B. Bhise

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 17.01.2025

P.C. :

1] The Anticipatory Bail Application No.2112 of 2024 be listed on 21.01.2025.

2] Heard learned counsel for the applicants in ABA Nos. 513 and 516 of 2024 and the learned APP for both the respondents.

3] The applicants in above applications are apprehending arrest in connection with Crime No.89 of 2024, registered at Kaij Police Station, District Beed, for the offences punishable under sections 120-B, 420, 406 of the Indian Penal Code and under Sections 3 and 4 of the Maharashtra Protection of Interest Depositors (In Financial Establishment) Act, 1999.

4] The allegations against the applicants are that the applicants in ABA No. 513 of 2024 were the directors and the applicant in ABA No. 516 of 2024 was the Vice Chairmen, so also the Secretary of Jankalyan Gramin Bigar Sheti Patsanstha Ltd., Salegaon. It is stated that the applicants have sanctioned loan to various persons and that amount was not received back to the Patsanstha. Due to that, 91 depositors of the bank suffered losses. In the audit report, it is noticed that various loans were given to the various persons, however there is no recovery of such loans.

5] The learned counsel for the above applicants submits that the above directors and vice chairmen (applicants herein) and other board of directors themselves have personally deposited Rs. 45 lacs in the bank and disbursed the amount to the depositors. The learned counsel further submits that, the outstanding amount today is Rs. 41,26,827/- which is yet to be recovered.

6] The learned counsel for the applicants in above applications placed on record the statement which shows that the amount of Rs. 45 lacs were deposited by the directors. Considering the *bona fides* of the directors and the vice chairmen (applicants herein), interim protection granted to them needs to be confirmed.

7] In view of the above, ABA Nos. 513 and 516 of 2024 are allowed and the interim protection granted to them by order dated 02.04.2024 stands confirmed on the following terms and conditions :

i] The applicants in above applications shall attend the concerned police station as and when required by the Investigating Officer.

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

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

9] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail applications and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

10] The ABA Nos. 513 and 516 of 2024 stand disposed of.

[ARUN R. PEDNEKER]
JUDGE

PRW