



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

ANTICIPATORY BAIL APPLICATION NO. 1509 OF 2025

SAHEBRAO MOTIRAM TOMPE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Jangada Suyashkumar S.

APP for Respondents/State : Mr. S.P. Joshi

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CORAM : MEHROZ K. PATHAN, J.

DATE : 2nd DECEMBER 2025

PER COURT :

1. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.161/2024 registered with Aundha Nagnath Police Station, District Hingoli for the offences punishable under Section 420 of the Indian Penal Code.

2. The case of the prosecution is that the Branch Manager of Bharat Financial Inclusion Ltd., Aundha, lodged a complaint stating that the Applicant/Sahebrao, who was serving as a Sangam Manager at the financial institution, engaged in providing small loans to poor and needy members through group meetings. During the period between 22/08/2022 and 20/06/2023, the Applicant was the Manager and was responsible for enrolling members, disbursing loans, and collecting installments on behalf of the institution.

. During the inspection, Branch Manager-Sumedh Khadse attended a group meeting at Sonar Galli, Aundha, and requested loan

installments from one of the members, Shobha Mahamune. She informed him that she had already paid the entire loan balance directly to the Applicant, Sahebrao. After conducting an internal audit, it was found that the Applicant had collected Rs.19,12,722/- from approximately 90 members of the group but had deposited only Rs.6,00,016/- into the company's official account. Thus, the remaining amount of Rs.13,12,706/- was allegedly misappropriated by the Applicant. The complainant has therefore prayed for appropriate action against the Applicant for cheating.

3. The learned Counsel for the Applicant submits that the Applicant has merely been made a scapegoat for the financial mishandling of the complainant and other employees of the branch. The Applicant has deep roots in society, is ready to cooperate with the investigation, and is willing to abide by any terms and conditions that may be imposed by this Court.

4. As against this, the learned APP submits that the Applicant is absconding since the date of registration of the FIR. Statements were recorded during the course of investigation from the witnesses, complainant Rashtrapal, Sanjivni Sangewal, Sonali, Manisha, Aashabai Gore, Mirabai Deshmukh and others who stated that they had paid monthly installments of their Bachatgat to the Applicant. However, the Applicant failed to deposit the amounts or issue any receipts to the members. Thus as the Applicant was absconding, after obtaining the necessary documents and recording the relevant

statements, the charge-sheet has already been filed. Hence, this is not a case for exercise of discretionary relief and the application may be rejected.

5. I have gone through the charge-sheet placed on record by the learned Counsel for the Applicant. The perusal of the statement of the first informant Manager and the other aforesaid statements shows that payments were made to the Applicant by the Mahila Bachatgat under the scheme floated by the financial institution, but the Applicant misappropriated the said amount for his own benefit. The Applicant is reported to have collected Rs.19,12,722/- from about 90 members; however, the record shows that only Rs.6,00,016/- was deposited by the Applicant with Bharat Financial Inclusion Ltd., and the remaining amount of Rs.13,12,706/- was misappropriated. The Applicant is absconding from the date of registration of the offence i.e. 03.04.2024. The charge-sheet is already filed way back in the year 2025.

. Thus looking to the nature of the allegations against the present Applicant, wherein the allegations in the FIR lodged by the Manager are substantiated by the subsequent statements recorded by the Investigating Officer, I find that this is not a fit case for exercise of discretion to grant anticipatory bail to the present Applicant. The application therefore stands rejected and disposed of accordingly.

MEHROZ K. PATHAN
JUDGE

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