

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2344 OF 2025

Kiran Vitthal Barye

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Umesh Mankapure a/w Mr. Pankajsinh Deshmukh, Advocate for the Applicant.

Ms. S. N. Deshmukh, A.P.P., for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 15th OCTOBER, 2025.

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P.C. :

1. The Applicant is apprehending arrest in C.R. No. 353 of 2025 registered with Ratnagiri Police Station, for the offences punishable under Sections 3(5), 316(2), 316(4), 316(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”).

2. It is prosecution’s case that during period of 18th February, 2025 to 4th August, 2025, the Accused No.2 stolen the gold ornaments pledged by the customers against the loans. It is alleged that the Applicant was a Branch Manager of the said Bank, and it was his responsibility to safeguard the pledged gold ornaments.

3. It is contention of learned counsel for the Applicant that the stolen gold ornaments were recovered at the instance of the Accused No.2, who was working as a peon in the said bank. The Applicant being the Branch Manager, used to entrust Accused No.2 with key to the locker. However, the Accused No.2 took disadvantage of this trust and the stolen gold ornaments. The internal inquiry was conducted by a Bank Officer regarding the Applicant's role in the matter. The Applicant was given a clean chit in the said inquiry. Hence, requested to allow the application.

4. It is contention of learned APP that the Applicant, in collusion with the Accused No.2, stolen the gold ornaments pledged by the customers. It is submitted that the Applicant is involved in the commission of the crime. The inquiry by Bank is still ongoing. Considering the allegations against the Applicant, his custodial interrogation is required. Learned APP further submitted that due to negligence of the Applicant, the bank has suffered a financial loss, and requested to reject the bail application.

5. I have heard both learned counsel, perused F.I.R. and documents produced on record.

6. The main allegations are against the Accused No.2. The

allegations against the Applicant about negligence. Considering these facts, his custodial interrogation is not required, and I pass following order:

ORDER

- i. The application is allowed.
 - ii. The order dated 18th September, 2025 passed by this Court is made absolute.
7. The application is allowed in the aforesaid terms and is accordingly disposed off.
8. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.
9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)