IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.738 OF 2025
(Siddhant s/o Rajhans Mendhe Vs. State of Maharashtra)

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's order	Court's or Judge's Order

Mr. G.D. Dani, Advocate for the applicant.
Mr. N.B. Jawade, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- AUGUST 11, 2025

By this application, the applicant is seeking bail as he came to be arrested on 15/12/2024 in connection with Crime No.1049/2023 registered with Police Station Saoner, District Nagpur for the offence punishable under Sections 406,420, 467, 468, 471, 413, 120(B) of the Indian Penal Code, 1860 and under Section 66, 66(c) and 66(d) of the Information Technology Act, 2000.

2. The crime is registered on the basis of the report lodged by the informant Niranjan Hariman Patil, alleging that the present applicant and the co-accused have obtained an Aadhar Card, Pan Card from him and informed him that he will receive the amount of Rs.20,000/- in his account and he has to accept Rs. 2000/- out of it, and Rs.18,000/- is to be paid to him. Immediately, the amount of Rs.20,000/- was transferred to his account. On that information, he came to know

that, on the basis of the said document, the applicant had opened the bank account in his name, and therefore, he approached the police station and lodged the report. During the investigation, it revealed to the Investigating Officer that the present applicant and other co-accused, in pursuance of their common object, obtained the various documents from various persons on the pretext of opening the account or sanctioning the loan amount in their name, and by obtaining the documents, open the account in their name and made transactions in the said accounts. The present applicant was serving as a bank employee. The investigation papers shows that he was instrumental to obtain the documents from various persons approximately 118 persons and opened the account in their names and monetary transactions were done in the said accounts. The account statements are also collected during the investigation. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that the other co-accused are already released on bail by the Court. On the ground of parity present application deserves to be allowed. He further submitted that in fact the account of the present applicant is misused and the transactions were done on his account. He is not at all responsible for the said transactions. Now, investigation is already completed and charge-sheet is filed, further incarceration of the applicant is not required.

4. Learned APP strongly opposed the said application and submitted that the present applicant was working as Assistant Manager in IndusInd Bank. The applicant had received the documents on his WhatsApp along with the photographs of various persons and has opened 118 bank accounts taking disadvantage of his position. It was assured by the present applicant to these persons that their accounts will be used by them for receiving certain amount. During the course of investigation, the statements of Arjun Yadav, Rajesh Pande, Sidhanth Jamgade, Shubham Gajbhiye, Taresh Rewatkar, Sunil Pagare, Mahendra Kaikade are recorded. From their statements it reveals that the transactions were done on their accounts. The loans are also obtained in their accounts and no money was received by them. On the contrary, their accounts were misused by the present applicant by taking disadvantage of his position and thereby they are duped. Thus, he submitted that considering the role attributed to the present applicant who is a bank employee, the application deserves to be rejected.

5. After hearing learned Counsel for both the sides and on perusal of the investigation papers it reveals that the crime is registered on the basis of report lodged by the informant alleging that the present applicant has also collected the various documents being Assistant Manager of the bank and thereby duped various persons.

During investigation, the statements of the various witnesses are recorded. The applicant has chosen the persons, either agriculturists or agricultural laborers, who are in need of financial assistance, and by taking disadvantage of this, obtained the documents from them on the pretext of opening their accounts, and bogus accounts are opened and transactions were carried out in their accounts. The statements of the various witnesses are recorded during the investigation. On perusal of the said statements it reveals that in all 118 witnesses came forward which shows that their accounts were opened, loans were obtained in their accounts. The present applicant was drawing salary approximately of Rs.25,000/- to Rs.30,000/- but the transactions which appears from his accounts are showing in the lacs. The statements of the witnesses further shows that the documents are obtained in their names. The present applicant has misused the said documents. From the misappropriation amount he has purchased the gold ornaments and various transactions he entered into with the other persons. Thus, considering the *prima facie* material against the present applicant, his involvement is apparent. Admittedly, the involvement of the present applicant is in the economic offence. The investigation is still going on, on the aspect that whether any other persons are there who are also affected by the said transactions. At this stage, it would not be appropriate to release the applicant on bail. In view of that, the application deserves to be rejected.

6. Hence, the application is hereby rejected.

7. Liberty is granted to the applicant to approach to this Court after completion of the further investigation.

(URMILA JOSHI-PHALKE, J.)

**Divya*