



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 815 OF 2025

GANPAT S/O NARAYAN JHA 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. Aniket.N. Rangari, counsel for applicant.
Mr. A.J. Gohokar, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 22/08/2025.

1. The present application is preferred by the applicant for grant of bail. The applicant came to be arrested on 14/06/2025 in connection with Crime No. 428 of 2025 registered at Police Station Gondia City, Tahsil and District Gondia for the offence punishable under Sections 316(5) of the Bhartiya Nyaya Sanhita, 2023.

2. Learned counsel for the applicant submitted that as far as the case of the prosecution on 14/6/2025, a complaint was lodged by one Dilip Bhimrao Landge, working as a Branch Manager, Bharat Financial Inclusion Limited Company. As per the allegation, the applicant was working as Sangam Manager with the said company from 24/02/2023 to 25/07/2024. The duties assigned to the present applicant included enrolling new members into the company, sanctioning loans to those members, and collecting installments against the loans granted. In July 2024, when the

Branch Manager had taken the review of the work of the company, it was realized to him that the present applicant, though collected the installments from various members, had not deposited the same. It was further revealed that the applicant had received loan installments from a total of 49 members but failed to deposit the same. As a result, he misappropriated an amount of Rs. 7,40,067/-. On the basis of the said report, police have registered the crime against the present applicant.

3. He submitted that merely on suspicion, the applicant is arraigned as an accused. Now, the investigation is already completed and charge-sheet is already filed, further incarceration of the present applicant is not required.

4. The learned APP strongly opposed the application and submitted that the involvement of the present applicant has been revealed as the applicant has allegedly committed the offence which is in economic in nature. It was alleged that the applicant had received money from various members for the purpose of depositing it into their respective loan accounts, but instead of depositing it, he has misappropriated the said money. Thus, involvement of the present applicant is prima-facie attributed. In view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of investigation papers, it appears that the applicant was working as a Manager in Bharat Financial Inclusion Limited Company. As far as allegations are concerned, a scheme was introduced by the company, by which members were enrolled and granted loans, which were to be repaid in installments. The present applicant has collected the installments but he has not deposited the same and misappropriated the same. The involvement of the present applicant is revealed from the investigation papers. But considering the fact that the investigation is already completed and the charge sheet is already filed, further incarceration of the applicant is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- a] The criminal application is allowed.
- b] The applicant – **Ganpat s/o Narayan Jha** shall be released on bail in connection with Crime No. 428 of 2025 registered at Police Station Gondia City, Tahsil and District Gondia for the offence punishable under Sections 316(5) of the Bhartiya Nyaya Sanhita, 2023, on executing PR. Bond of Rs. 25,000/- with one solvent surety in the like amount.

- c] The applicant shall attend proceedings before the concerned Court without seeking any exemption unless there are exceptional circumstances.
 - d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
6. The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]