



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

CRIMINAL APPLICATION (ABA) NO. 226 OF 2025

(Jaya W/o Anil Koshatwar Vs. State of Maharashtra)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Bhushan Dafle, Advocate for the Applicant.
Ms. Trupti Udeshi, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 23rd JUNE, 2025

1. Apprehending the arrest at the hands of Police in connection with Crime No.922/2024 registered with Police Station Awdhootwadi, Yavatmal for the offences punishable under Sections 420, 406, 409, 417, 418, 421, 424, 467, 468, 471, 477-A, 120-B of the Indian Penal Code and Section 3 of Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 the Applicant approached to this Court for grant of pre arrest bail.

2. It is alleged that, the present Applicant was appointed as Zonal Manager and holding the important post having charge of the other Branches and posted at Head Office. The present Applicant after receipt of loan proposal used to approve the loan proposal and used to initiate action in respect of recovery of amount. Thus, the present Applicant is associated with loan proposal as disbursement and recovery which shows the *prima facie* involvement of the present Applicant in commission of offence. It is further alleged that,

the present Applicant was entrusted with the duty to verify the loan proposal, to appraised loan files and to forward loan proposal with definite remark regarding viability of those loan and illegibility of the borrowers and thereafter said proposals used to forward to CEO of Bank. That, on perusal of material collected by the investigating agency the present Applicant has willfully neglected her duty towards the bank and prepared/forwarded false and fabricated proposals and thereby acted in conspiracy with other accused and thereby defrauded & cheated the depositors, and therefore, she is arraigned as an accused.

3. Heard learned Counsel for the Applicant who submitted that, the other co-accused are already protected by granting *ad interim* protection, who are also the bank employees and connected with the said loan proposals. He submitted that considering the allegations only it can be say that she was negligent in her duty as far as the intention is concerned which is not attributed.

4. However, learned APP, strongly opposed the Application and submitted that she has to seek instructions as far as the other co-accused are concerned, who are already released on *ad interim* anticipatory bail to ascertain whether they have cooperated with the investigating agency or not. She submitted that, present Applicant was concerned with the loan proposals and was working on a responsible post, she has not taken care, and therefore, her custodial interrogation is required.

5. On hearing both the sides and on perusal of the investigation papers, it reveals that, the Applicant was working as a Zonal Manager and was dealing with the approval of loan proposals and initiating the action in respect of recovery of loan amount. From the recitals of the FIR it reveals that, the allegations against the present Applicant that she willfully neglected her duty towards the bank and prepared and forwarded the false documents. For that purpose the investigation papers requires to be looked into. At this stage, considering the other co-accused who are also the bank employees are protected by this Court, the Applicant can be protected till the learned APP seeks instructions from the Investigating Officer. Accordingly, I proceed to pass the following order:

ORDER

- i. In the event of the arrest, the Applicant Jaya W/o Anil Koshatwar in connection with Crime No.922/2024 registered with Police Station Awdhootwadi, Yavatmal for the offences punishable under Sections 420, 406, 409, 417, 418, 421, 424, 467, 468, 471, 477-A, 120-B of the Indian Penal Code and Section 3 of Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999, be released on *ad-interim* anticipatory bail, on executing P.R. Bond in the sum of Rs.50,000/- with one solvent surety in the like amount.

- ii. The Applicant shall attend the concerned Police Station twice in a week i.e. on every Monday and Thursday between 10.00 a.m. and 01.00 p.m. and shall cooperate with the investigating agency.
 - iii. The Applicant shall not induce, threat, tamper or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.
 - iv. The Applicant shall not leave the jurisdiction of Yavatmal District without prior permission of the District Court, Yavatmal.
6. Tag the present matter alongwith Criminal Application (ABA) Nos. 203/2025, 211/2025, 324/2025, 204/2025, 249/2025.
7. List all the matters on **04.07.2025**.

(URMILA JOSHI-PHALKE, J.)