



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1002 OF 2025

Mahadev Sadashiv Kamble

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondent

.....
Advocate for Applicant : Mr. Biradar Manoj G.
APP for Respondents: Mr. B.B. Gunjal.

CORAM : MEHROZ K. PATHAN, J.

DATE : 19th JANUARY, 2026.

P.C. :-

1. The applicant has approached this court seeking anticipatory bail in connection with Crime No. 41 of 2025, registered with Jalkot Police Station, Dist. Latur, for the offence punishable under Section 316-4, 351, 351-2 of the Bhartiya Nyaya Sanhita.

2. The case of the prosecution is that, the informant Raju Shivajirao Dhongade is stated to be the Regional Manager of Chaitanya India Credit Private Ltd. Head office, CIDCO, Nanded, who lodge the FIR on 10.3.2025 contending that the said Credit Society is having branch office at Jalkot, Dist. Latur. Since 2018, the applicant was the Manager of the said Credit Society. He had been assigned the work of distributing loan and manage the financial affairs of the branch. It is further alleged that on 27.1.2025, one borrower namely, Salima Machkuri paid an amount of Rs. 14,323/- on Phone-pe App to the applicant. Thereafter, another borrower, namely, Mamta Kamble, paid an amount of Rs. 5,690/- to the applicant and one Farida Mujawar paid Rs. 49,655/- to the

applicant towards repayment of loan. Asha Sawant paid Rs. 23,326/-. Thus, the total amount of Rs. 93,774/- was deposited by different borrowers. However, the applicant has not deposited the amount with the credit society nor took any entry in that regard in the system, thereby misappropriated the said amount.

3. The learned counsel for the applicant submits that, this Court vide order dated 6.11.2025 protected the applicant with a direction to attend the police station as and when called by the Investigating Officer. Accordingly, the applicant has attended the Police station and cooperated with the investigating in pursuance to the said order. After interrogating the applicant, the Investigating Officer has also filed a charge sheet before the concerned jurisdictional Magistrate. The lady Salima Machkuri has filed an affidavit that there is no misappropriation at the hands of the present applicant in depositing the loan amount, whereas, the other borrower, Mamta Kamble's account is already closed by paying the installment by the borrower on 14.5.2025, after the FIR was filed on 16.3.2025. The learned counsel for applicant, therefore, submits that the custodial interrogation of the applicant is not necessary.

4. As against this, the learned APP strongly opposes the application on the ground that there is financial misappropriation on the part of the applicant. The present applicant was working as a Manager of the local branch of the financial institution and was given the responsibility of collecting the loan amounts from the borrower and depositing the same with the financial institution. The learned APP, however, concedes the fact that the applicant has cooperated with the investigation in pursuance to the order passed by this Court and charge sheet is already filed before the jurisdictional Magistrate. This Court may, therefore, pass appropriate orders.

5. After going through the investigation papers and on perusal of the charge sheet made available by the learned APP for perusal, and the account closure status in the case of loan taken by the borrower Mamta Kamble and the affidavit dated 14.5.2025 filed by Salima Machkuri stating therein that there was no misappropriation at the behest of the present applicant and also the fact that the applicant has cooperated with the investigation and that he has no criminal antecedents, I am inclined to exercise discretionary powers under Section 482 of the BNSS in favour of the applicant. Hence, the following order :-

O R D E R

[I] The application is allowed.

[II] The interim order dated 6.11.2025 is hereby confirmed.

[III] The applicant shall attend the trial on each and every date before the trial court, except in case of emergency, in which case he shall apply for exemption before the trial court.

[IV] The application stands disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-