IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 141 OF 2026

SATISH AMBADAS DESHMUKH
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Kundalwadikar Prathamesh Sandeep
APP for Respondents/State : Mr. R. K. Ingole
...

CORAM : MEHROZ K. PATHAN, J.
DATE : 16th MARCH 2026

PER COURT :

1. Heard the learned Counsel for the Applicant and the learned APP for the Respondent/State.

2. The Applicant has approached this Court, seeking anticipatory bail application in connection with Crime No. 444 of 2022 dated 07.09.2022 registered with Mantha Police Station, District Jalna, for the offences punishable under Sections 406, 409, 420, 466, 467, 468, 471 read with 34 of the Indian Penal Code.

3. The case of the prosecution is that the auditor namely Gopal Narayan Avdhut as a class- 2 officer, of State Government of Maharashtra has conducted a special audit of Mantha Urban Co-operative Bank Limited as per the directions of the State of Maharashtra and relevant provisions under Maharashtra Co-

operative Societies Act, 1960. After the conducting special audit and detail investigation, he found that there was a misappropriation and fraud by the officers and employees of the bank at various branches at Mantha, Sewali, Lakkadkot, to the tune of Rs.12,18,04,416/-. The said misappropriation and fraud was being carried out by the various branch managers, bank officials, employees of Mantha Urban Co-operative Bank Limited, by the preparation of forged fixed deposit receipts, illegal adjustment of sundry account, LED fixed deposit loan, cyber crime and misappropriation. The said informant prepared elaborate detail and exhaustive audit report for the period of 1 April, 2019 to 31.03.2022. Meanwhile, Reserve Bank of India, has also put statutory restriction on the working and functioning of Mantha Urban Co-operative Bank Limited. After considering the entire audit report, informant has lodged aforementioned FIR at Mantha Police Station.

4. The learned Counsel for the Applicant submits that the basis on which the FIR came to be filed, namely the initial audit report dated 23.05.2022, has itself become infructuous in view of the re-audit report submitted by the Auditor appointed by the District Deputy Registrar, Jalna, as reflected in the communication dated 20.09.2024 issued by the District Deputy Registrar, Jalna. He therefore submits that the very foundation of the FIR, i.e., the initial audit report, is no longer in existence in view of the re-audit report, and as such, custodial interrogation of the Applicant may not be necessary.

5. The learned Counsel further submits that the identically placed accused persons, whose bail applications had been rejected by this Court, subsequently approached the Hon'ble Supreme Court.. The Hon'ble Supreme Court vide its order dated 24.01.2025 passed in the Special Civil Appeal No. 16272/2024, was pleased to grant bail to the other co-accused namely Arun Hoge, Kailash Chavan, Ganesh Tale, Ganesh Auchar, Vijay Chavan and Sanjay Rathod. A copy of the said order passed by the Hon'ble Supreme Court dated 24.01.2025 as well as order dated 03.03.2025 passed in SLP Criminal Diary No. 9108/2025 in the case of Vijay Chavan is placed on record. The learned Counsel therefore submits that, in view of the order passed by the Hon'ble Supreme Court, the Applicant is also entitled to be released on the ground of parity. The Applicant is similarly alleged to have committed identical misappropriation in the initial audit report, which is no longer in existence in view of the re-audit. The learned Counsel further submits that another co-accused, who was a Branch Manager at Chandanziri, was also granted anticipatory bail by the learned Sessions Court vide order dated 09.06.2023 in Criminal Bail Application No. 218/2023 passed by the Additional Sessions Judge-V, Jalna.

6. The learned Counsel for the Applicant further submits that the identical allegations of misappropriation at the Lakkadkot branch, where the Applicant was working as a Passing Officer, were registered at the behest of investors in Crime No. 231/2021 for offences punishable under Sections 420, 468, 471, 409, and 34 of the

BNS. The Applicant was arrested in the said crime and was subsequently released on regular bail. The present FIR pertains to all the branches of Mantha Urban Cooperative Bank Ltd., and the allegations are almost identical to those in Crime No. 231/2021. Hence, custodial interrogation of the Applicant may not be necessary.

7. As against this, the learned APP fairly concedes that identical allegations had already been made against the Applicant in Crime No. 231/2021, wherein the Applicant was arrested on allegations of misappropriation to the tune of Rs. 1,06,58,699/-. The other co-accused have already been released by the Hon'ble Supreme Court. Hence, upon written instructions from the concerned Investigating Officer, it is submitted that custodial interrogation of the Applicant in the present crime is not necessary.

8. Taking into consideration the aforesaid submissions made on behalf of the learned APP upon written instructions from the Investigating Officer, I am inclined to protect the Applicant, particularly in view of the fact that the Hon'ble Supreme Court has already granted protection to other identically charged accused persons in the present crime. Hence the following order :

ORDER

(i) In the event of arrest of the Applicant - Satish Ambadas Deshmukh in connection with Crime No. 444 of 2022 dated 07.09.2022 registered with Mantha Police Station, District Jalna, for the offences punishable under Sections 406, 409, 420, 466, 467, 468, 471 read with 34 of the Indian Penal Code, he be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousands) with two solvent sureties in the like amount, on the following conditions :

(ii) The Applicant is directed to attend Mantha Police Station, District Jalna on 23rd, 24th, 30th and 31st March of 2026 and 6th and 7th April of 2026 between 11:00 am. to 01:00 pm. and co-operate with the Investigating Officer and thereafter as and when called by the Investigating Officer till filing of the charge-sheet.

(iii) The Applicant is directed not to tamper with the evidence and shall not threaten the complainant or the witnesses.

(iv) The Applicant shall attend the trial on each and every date unless so exempted by the trial on emergency conditions.

(v) The Applicant shall submit his Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of himself and two of the near relatives.

(vi) A single violation of the aforesaid conditions, would entitle the prosecution to seek cancellation of bail of the Applicant on that ground.

(vii) With the aforesaid directions, the application is disposed of.

MEHROZ K. PATHAN
JUDGE

NAJEEB..