IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 306 OF 2026

ANKUSH MAROTIRAO YOHAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Kingaonkar Nandkumar Y.
APP for Respondents/State : Mrs. P. J. Bharad
...

CORAM : MEHROZ K. PATHAN, J.
DATE : 11th 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 FIR No. 46 of 2026 dated 27.01.2026 registered with Bhagyanagar Police Station, District Nanded, for the offences punishable under Sections 316(2), 316(5), 318(4), 336(3) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that the Applicant is working with MSRTC, Nanded. He has taken personal loan and an amount of Rs. 18,008/- is deducted monthly from his salary towards the said loan. He is an innocent

person and he is a borrower of the MSRTC bank. He is wrongly shown as a accused by the informant and police machinery. He is not the office bearer of the bank, so he has no concerned with the crime. The offence came to be registered vide Crime No. 46/2026 on the basis of complaint given by one Satish Prahlhad Garge, who is Inspector of State Co-Operative Bank.

4. The learned Counsel for the Applicant submits that this Court, vide interim order dated 25.02.2026, was pleased to protect the Applicant by granting ad-interim bail with a condition to attend the Investigating Officer and to cooperate with the investigation. The learned Counsel for the Applicant submits that the Applicant has duly attended the police station and has cooperated with the Investigating Officer as directed by this Court.

5. The learned Counsel for the Applicant submits that the Applicant obtained a loan by following all the prescribed norms from the MSRTC Cooperative Bank, Nanded. The Applicant, being an employee of the MSRTC, was entitled to receive the loan from the cooperative bank. The allegations regarding flouting of norms or granting the loan in violation of the procedure laid down for sanctioning of loans are made against the officials/office bearers of the MSRTC Cooperative Society, and the Applicant has nothing to do with such allegations of misappropriation. On the contrary, the MSRTC Cooperative Bank is deducting an amount of Rs.18,008/- towards the premium installment for the loan obtained by the

Applicant. The salary slip of January 2026 is relied upon to show that the amount of Rs.18,008/- has been deducted from the salary account of the Applicant. The Applicant is not having any criminal antecedents and has cooperated with the investigation vide interim order dated 25.02.2026. The Applicant may therefore be protected by releasing him on anticipatory bail.

6. As against this, the learned APP strongly opposes the application on the ground that the Applicant was entitled only to an amount of Rs.12,00,000/- as loan from the State Cooperative Bank. However, with the connivance of the officials of the cooperative society, an amount of Rs.14,98,000/- was sanctioned to him. Thus, there is an excess amount of Rs.2,98,000/- sanctioned in favour of the Applicant. The said amount could not have been sanctioned without the active connivance of the Applicant with the officers of the cooperative bank. The role of the Applicant is clearly made out from the inquiry conducted by the complainant, and as such custodial interrogation of the Applicant is necessary. Hence, this is not a fit case to grant anticipatory bail, and the same may to be rejected.

7. I have gone through the investigation papers made available by the learned APP. A perusal of the same shows that the Applicant has attended the police station. The salary receipt placed on record clearly indicates that an amount of Rs.18,008/- has been deducted from the salary account of the Applicant. This fact that the premium

installment of Rs.18,008/- is being deducted regularly from the salary account of the Applicant, is not denied by the prosecution.

8. Thus, taking into consideration the fact that the Applicant is an employee of the MSRTC who has availed the loan facility from the cooperative bank, and that the installments are already being deducted from the salary account of the Applicant, and also considering the fact that the Applicant has attended the police station as per the interim order dated 25.02.2026 and has cooperated with the investigation, I am inclined to grant interim protection to the Applicant in exercise of powers under Section 482 of BNSS. Hence the following order :

ORDER

(**i**) The application is allowed.

(**ii**) The interim order dated 25.02.2025 is hereby confirmed.

(**iii**) The Applicant shall attend the Bhagyanagar Police Station, District Nanded as and when called by the Investigating Officer till filing of the charge-sheet.

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

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

(**vi**) 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.

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

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

MEHROZ K. PATHAN
JUDGE

NAJEEB..