2026:BHC-NAG:4830

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.121 OF 2026
Prashant Bhimrao Manohar Vs. State of Maharashtra, through PSO, PS Rajapeth, Amravati

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's Orders.	Court's or Judge's orders.

Shri H.V. Dhage, Advocate for applicant.
Shri S.B. Bissa, APP for respondent/State.

CORAM : M.W. CHANDWANI, J.
DATE : 25.03.2026.

1. The applicant is apprehending his arrest in connection with Crime No.538/2025 registered with Police Station, Rajapeth, Amravati for the offences punishable under Section 316(5), 318(4), 3(5) of the Bhartiya Nyaya Sanhita, 2023 (for short, "BNS").

2. Heard the learned counsel for the applicant as well as learned Additional Public Prosecutor for the non-applicant/State. Perused the case diary.

3. It appears that Bharat Financial Inclusion Ltd. Company incorporated under the Companies Act deals with financial transactions and has various branches which accept deposits and provide financial assistance. The case relates to its Amravati Branch wherein, the complainant who is the Unit Manager of Bharat Financial Inclusion Ltd. visited the Branch on 26.07.2024 when he received a phonecall from the Divisional Risk Control Manager that some cash is missing from the safe-locker to the extent of ₹12,79,400/-.

The applicant who was the Branch Manager and other co-accused who was the Branch Credit Manager took responsibility of the missing cash and assured to refund the amount within five days. However, they did not pay the same after five days and also stopped receiving calls from the Unit Manager as well as the Divisional Risk Control Manager. In the meanwhile, an audit was conducted in which it was revealed that there is embezzlement to the tune of ₹21,90,563/- at MIDC Road, Ganpatinagar Branch. The applicant and other co-accused Shubham Harne were held responsible. Thus, it is alleged that there is embezzlement of amount to the tune of ₹21,90,563/- by the applicant and other co-accused.

4. It is contended on behalf of the applicant that the applicant was not indulged in any embezzlement and has not misappropriated any amount. It is the other staff including co-accused Shubham Harne who holds joint custody of the safe-locker, who has embezzled the amount. According to the learned counsel for the applicant, there is no direct participation of the applicant in the crime. The applicant has no criminal antecedents and has been falsely implicated in the present crime. Therefore, he prayed that the applicant may be protected from arrest.

5. On the contrary, the learned APP submits that the applicant was the Branch Manager and was entrusted with the property of the bank. Recovery of amount to the tune of ₹21,90,563/- is required to be done for which, custody of the applicant is necessary. Moreover, the money trail also needs to be traced. The offence is serious in nature involving public money which is why the applicant is not entitled to the extraordinary relief of anticipatory bail. The offence under Section 316(5) of the BNS is punishable with upto life imprisonment and therefore, he sought rejection of the application.

6. It appears that at the time of first inspection, the applicant had admitted his responsibility in writing and agreed to refund the amount of embezzlement. No doubt, the other co-accused is also involved but the applicant is a Branch Manager who is responsible for the entire cash of the Bank at the end of the day. It is not the case that this happened in one day. Prima facie, it appears that the alleged embezzlement went on for a considerable period of time, which led to accumulation of money to the tune of ₹21,90,563/-. Therefore, detailed investigation is required to be done with regard to the embezzlement of amount. The role played by each and every staff member including the present applicant needs to be looked into.

7. Considering the material against the applicant, no case is made out for grant of the extra ordinary relief of anticipatory bail. Hence, the application is rejected.

(M.W. Chandwani, J.)

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