

MHRT010000622026



IN THE COURT OF ADDL. SESSIONS JUDGE, RATNAGIRI

(Presided over by A.M.Ambalkar, Addl. Sessions Judge, Ratnagiri)

CRIMINAL BAIL APPLICATION NO. 09 OF 2026

**Shri. Santosh Sharad Narkar,**

Age 50 years, Occupation – Service,

R/o. Flat No.86, A Wing, Kohinoor Complex,

Maruti Mandir, Nachane road Ratnagiri.

**Applicant**

Versus

**State of Maharashtra,**

Through Police Inspector,

Ratnagiri City Police Station,

Tal. Dist. Ratnagiri

**Opponents**

Order Below Exh. 01

(Dictated and delivered in open Court on 09.04.2026)

1. Applicant/Accused Santosh Sharad Narkar has filed this bail application U/Sec. 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of pre-arrest bail in Crime No.14/2026; for the offences punishable under sections 316(2), 316(5), 318(4), 336(2), 338 of the BNS, 2023, registered at Ratnagiri City Police Station, Tal. & Dist.

Ratnagiri.

2. Prosecution story in brief is as under:-

Informant Shekharkumar Uttam Ahire is the Chief Executive Officer of Rajapur Urban Co-Operative Bank Ltd. and having entrusted with the work of implementation of policy of bank executive board and to held its meeting and to make correspondence with Reserve Bank of India. It is alleged that applicant/accused has been manager of the said Bank, Branch Ratnagiri since 22/04/2021 to 07/04/2025. On 03/09/2023, General Meeting of Bank was held and it was decided to appoint private auditor for audit of the accounts of all the branches of said bank and the said work was entrusted with the auditor Prasad Damale. He submitted his audit report on 12/05/2024 for the period of 01/04/2023 to 31/12/2023 and the another report for the period of 01/01/2024 to 31/03/2024 on 06/08/2024 and had shown various irregularities in the transactions and in the documents. As per the order of reserve bank, the audit of Rajapur branch was conducted for the period of 01/04/2023 to 31/03/2024 by auditor Nikhilesh Shaha. He submitted his report on 26/04/2024 and had shown various irregularities in the loan accounts and the documents of loan transactions and also it revealed that the loans were sanctioned beyond the authority.

3. On 29/06/2024, the meeting of Board of Directors was held and one enquiry committee was appointed for making

enquiry of the transactions of the loan accounts. The enquiry committee consisting of Laxman Mhatre, Suhas Patankar and Prakash Bhave submitted their report on 21/08/2024 in respect of enquiry for the period during 01/04/2023 to 31/07/2024. It was found that in the total 368 accounts of loan in the Ratnagiri Branch, irregularities were found.

4. Thereafter on 13/12/2024 for thorough enquiry, the committee was formed consisting of informant, Sau. Anamika Jadhav, the then Chairman Shri. Jayant Abhyankar, Sanjay Ogale, Adv. Shashikant Sutar, Kishor Jadhav, Shri. Ramesh Kale accountant. This committee has verified all the loan cases and found that in 43 cases, there are irregularities, distribution of loan beyond the limit and errors in documents including the signatures of guarantors, witnesses and debtors.

5. Thereafter said committee inquired with Branch Manager of Ratnagiri Branch i.e., applicant/accused and he accepted that he has prepared and sanctioned 43 fake loan accounts and the amount of said 43 fake loan accounts have been used in 146 NPA accounts and filed his written say. Thus, from 01/04/2023 to 31/07/2024, applicant/accused who was working as a Branch Officer in the Ratnagiri Branch of Rajapur Urban Bank Ltd. while bank had appointed him as a Branch Officer on the basis of trust, betrayed the trust of bank by preparing 39 fake loan cases, misused his position and sanctioned the total Rs.1,98,69,673/- from the bank and using

the said money for his own benefit, thus defrauding the bank. Hence, the report.

6. Applicant submitted that he has not committed any offence and he is innocent. The applicant has been falsely implicated. There is difference between date of complaint and date of offence. Informant has concealed the important facts from the police and implicated the applicant in this false case. There is no antecedents against the applicant. Applicant is the elite person in the society and if he is arrested, the loss will not be compensated in money. There is no *prima facie* evidence against him. Nothing remained to be recovered from the applicant. His custody is not required for any purpose. Finally, it is prayed to allow the application.

7. The Investigating Officer filed his say at Exh.35 and strongly resisted the application. It is submitted that offence is serious one. The applicant is the responsible officer of the bank and it revealed that applicant has sanctioned fake loan accounts and committed misappropriation. Investigation is at primary stage. Finally, it is prayed to reject the application.

8. Heard learned advocate Shri. M. C. Nalawade for applicant and learned APP Shri. P. S. Shetye for prosecution.

9. Learned APP Shri. P. S. Shetye for prosecution relied upon following judgments.

1. Narinderjit Singh Sahni & anr., Vs. Union of India & Ors., 2002 ALL MR (Cri) 430 (S.C.)
2. Dukhishyam Benupni Vs. Arun Kumar Bajoria, AIR 1998 Supreme Court 696
3. Ajit s/o. Vidyasagar Ghate Vs. State of Maharashtra & Anr., 2009 ALL MR (Cri) 1054
4. The State of Maharashtra Vs. Esarar Ahmedkha s/o. Osmankha & Anr., 2013 ALL MR (Cri) 3984
5. Sandeep P. Jain Vs. The State of Maharashtra, 2014 ALL MR (Cri) 598
6. Murtuza Yusuf Electricwala Vs. The State of Maharashtra, 2018 ALL MR (Cri) 4392
7. Dhananjay Vitthal Gawade Vs. The State of Maharashtra, 2021 ALL MR (Cri) 1241
8. Surendra Gulabrao Potey Vs. State of Maharashtra, 2002 ALL MR (Cri) 801

10. On perusal of investigation papers, it clearly appears that various statement of witnesses indicate that the applicant obtained signatures of various persons and prepared loan documents and amount has been disbursed in the account of various persons without their applications. The amount misappropriated is huge. The area of investigation seems to be wide. The custody of applicant seems necessary for investigation. Prima-facie case appears against the applicant. Therefore considering nature of accusation, huge amount involved and the necessity of custody of applicant for

investigation purpose, I am of opinion that applicant is not entitled to grant of anticipatory bail. Hence, I proceed to pass following order.

**ORDER**

1. Application stands rejected.
2. Inform the concerned accordingly.

Date :- 09.04.2026

( A. M. Ambalkar )  
Additional Sessions Judge, Ratnagiri.

I affirm that the contents of this P.D.F file order are same, word to word, as per the original order.

Case Number		Cri. Bail Appln. No. 9/2026
Name of Stenographer	:-	Shri. Rajesh G. Rahate
Name of Court	:-	Addl. Sessions Judge, Ratnagiri
Date of Dictation	:-	09.04.2026
Order signed by the PO. on	:-	09.04.2026
Order uploaded on	:-	09.04.2026