

**In the Court of Additional Sessions Judge, Wardha.**

Criminal Bail Application No.71/2026  
(CNR:MHWR010003432026)

Sagar Ashokrao Deshmukh ..V/s.. State of Maharashtra, Through P.S.O., Arvi, Tah.Arvi, Dist.Wardha.	...	<b>Applicant</b>
	...	<b>Non-applicant</b>

**Order below Exh.1**

(Passed on 12<sup>th</sup> March, 2026)

The present application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in connection with Crime No.3/2026 registered at Police Station Arvi for the offences punishable under Sections 316(5), 318(2), 318(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2] The prosecution case, in brief, is that the informant, who is the Branch Manager of Bharat Financial Inclusion Ltd., lodged a report on 01.01.2026 stating that the said financial institution provides loans mainly to strengthen the financial position of women members. After disbursement of loans, the work of collecting installments and loan pre-closure amounts is entrusted to Union Managers appointed by the Branch.

3] The present applicant was working as one such Union Manager. His duty was to visit the members to whom loans were granted, collect installments or loan pre-closure amounts and deposit the same with the Arvi Branch Office of the company. During verification of accounts conducted by the Branch Manager, it was allegedly found that the applicant had collected an amount of ₹1,56,405/- as loan pre-closure

amount from 12 members during the period from 08.07.2024 to 08.10.2024. The said amount was required to be deposited with the Arvi Branch Office. However, according to the prosecution, the applicant failed to deposit the said amount and misappropriated it. On the basis of the report, the aforesaid crime came to be registered and investigation commenced.

4] According to the applicant, he has been falsely implicated in the present crime. It is contended that the applicant belongs to a poor family and the allegations levelled against him are false and baseless. It is further contended that the case is mainly based on documentary evidence and therefore custodial interrogation of the applicant is not necessary. It is also submitted that the applicant has no criminal antecedents and there is no possibility of his absconding. On these grounds, anticipatory bail is prayed for.

5] The application is strongly opposed by the Investigating Officer by filing a reply at Exh.5. It is contended that the present applicant is the main accused in the crime and that during the period from 08.07.2024 to 08.10.2024 he had collected loan pre-closure amounts from 12 members to the tune of ₹1,56,405/- and failed to deposit the same in the Arvi Branch Office. It is further contended that custodial interrogation of the applicant is necessary to ascertain the manner in which the said amount was misappropriated and to trace the utilisation of the misappropriated amount.

6] I have heard the learned Advocate for the applicant and the learned Additional Public Prosecutor for the State. I have also perused

the application, the reply filed by the Investigating Officer, the First Information Report and the case diary placed before me.

7] At the outset, it is not in dispute that the present applicant was working as a Union Manager appointed by Bharat Financial Inclusion Ltd. for the purpose of collecting loan installments from members of the financial institution. The prosecution case, as reflected from the E.I.R. and the case diary, shows that during verification of accounts conducted by the Branch Manager it was allegedly found that the applicant had collected an amount of ₹1,56,405/- from 12 members towards loan pre-closure payments during the period from 08.07.2024 to 08.10.2024.

8] The said amount was required to be deposited with the Arvi Branch Office of the company. However, according to the prosecution, the applicant failed to deposit the said amount and thereby misappropriated it for his personal use.

9] At this stage, the Court is not required to conduct a detailed appreciation of evidence. However, the material collected during investigation and the statements of witnesses recorded by the Investigating Officer prima facie indicate the involvement of the applicant in the commission of the alleged offence.

10] The statements of several members recorded during investigation indicate that the members had paid loan pre-closure amounts in cash to the present applicant in his capacity as Union Manager. These statements prima facie support the allegation that the applicant had collected the said amounts from the members.

11] It further appears from the case diary that the amount collected from the members has not been deposited with the company and the

whereabouts of the said amount are yet to be ascertained. The offence alleged against the applicant relates to financial misappropriation and breach of trust. Such offences are required to be viewed seriously as they affect the financial integrity of institutions and undermine the confidence of the public.

12] In cases involving financial misappropriation, custodial interrogation of the accused often becomes necessary in order to ascertain the manner in which the offence was committed, to trace the utilisation of the misappropriated amount and to identify the possible involvement of other persons.

13] The Investigating Officer has specifically contended that custodial interrogation of the applicant is necessary for effective investigation. If anticipatory bail is granted at this stage, it may hamper the investigation and adversely affect the efforts of the Investigating Agency in unearthing the complete facts of the crime.

14] It is well settled that the relief of anticipatory bail is an extraordinary discretionary remedy and the same cannot be granted as a matter of routine. While considering such an application, the Court is required to take into account the nature and gravity of the accusation, the role attributed to the accused and the requirement of effective investigation.

15] Having regard to the nature and gravity of the allegations, the material available on record and the necessity of custodial interrogation for effective investigation, I am of the opinion that this is not a fit case to exercise the discretionary relief of anticipatory bail in favour of the

applicant. Hence, the application deserves to be rejected. I therefore proceed to pass the following order.

**Order**

- (i) Criminal Bail Application No.71/2026 is hereby rejected.
- (ii) The case diary be returned to the Investigating Officer forthwith.
- (iii) The concerned Police Station be informed accordingly.

Date: 12/03/2026

(S.A.S.M. Ali)  
Additional Sessions Judge,  
Wardha.

CERTIFICATE

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

*(Madhav A. Chaudhari)*  
*Stenographer*