

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1638 OF 2025

Ramakant Rampravesh Rai

.. Applicant

Versus

State of Maharashtra

(Through Shivajinagar Police Station, Pune)

.. Respondent

.....

- Mr. Manish Tomar, Advocate for Applicant.
- Ms. Sangeeta Phad, APP for the Respondent – State.

.....

CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 17, 2026

P. C.:

1. Heard Mr. Tomar, learned Advocate for the Applicant and Ms. Phad, learned APP for the Respondent–State .

2. The Applicant in the present case is arraigned as Accused No.4. The other accused persons are released on bail. The case of the prosecution stems from the fact that Applicant, in order to arrange surety for the sake of release of his father, came in touch with the Advocate on record who was appearing for his father, and two persons who are arraigned as Accused Nos. 1 and 2, namely, Haribhau Kambale and Sunil Kambale who were the persons who carried out the

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operation. Haribhau Kambale required his son Sunil Kambale to impersonate as Sunil Gavhane, in order to give the false surety.

3. Case of the prosecution, *qua* the role of Haribhau Kambale is distinct to the extent that he prepared the false documents, namely, the Aadhar card and ration card, for the purpose of filling up the surety affidavit/form. Whereas, the case of the prosecution *qua* Sunil Kambale is to the extent of he having impersonated as Sunil Mohan Gavhane for the purpose of giving surety before the Court for release of Applicant's father.

4. Insofar as the Applicant before me is concerned, the case of the prosecution is based upon witness statement recorded, copy of which is appended at page 55, to the extent of he being roped in the crime. Though, the learned prosecutor has argued vehemently that his surety was presented on 27th February, 2023, whereas the FIR was lodged after investigation was completed on 31st July, 2024 and the Applicant was arrested on 3rd October, 2024, as he was shown as absconding. However, insofar as the specific role attributed to the Applicant is concerned, he was very much present in the Court when the bail hearing of his father was underway and he had accompanied the other co-accused person Haribhau Kambale.

5. The Applicant is a student. The learned Advocate has placed before me the educational credentials of the Applicant i.e. the provisional admit card of 2024-25 when the Applicant came to be arrested. At that time he was a student of the Veer Bahadur Singh Purvanchal University, Jaunpur, Uttar Pradesh, and it is but natural that when the father of Applicant was arrested, he was the person who came down to Pune to secure his release.

6. This Court incidentally had an occasion to consider the present Bail Application on 24th April, 2025, and had passed the following order:

- “1. Heard Mr. Awasthi, learned Advocate for Applicant and Ms. Gajare - Shilpa, learned APP for Respondent - State.*
- 2. This is an Application under Section 439 of the Code of Criminal Procedure, 1973 seeking Regular Bail in connection with C.R.No.194 of 2024 registered with Shvaji Nagar Police Station for the offences punishable under Sections 420, 465, 467, 468, 471 and 120-B read with 34 of the Indian Penal Code, 1860 (for short 'IPC').*
- 3. There are 2 Accused persons in the present crime. Applicant was arrested on 03.10.2024. According to the prosecution case, Applicant is a conspirator alongwith co-accused person namely Mr. Haribhau and they have actively indulged themselves in preparing forged document, rather prepared false surety document and submitted the said surety document for facilitating the release of the father of Applicant from prison.*

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4. *Mr. Mishra, learned Advocate appearing for the Applicant would persuade me to consider the FIR and the basic facts emanating therefrom to contend that in so far as Applicant is concerned even according to prosecution case, it will be seen that he had only accompanied the co-accused person and he has played no active role whatsoever in preparation of the alleged false surety document nor he has signed on any document to facilitate the release of his father from prison by filing the false surety document.*
5. *He would submit that merely because of his association with the other co-accused person and he having accompanied him, Applicant has been charged with the offences, but according to him neither of the Sections and provisions of the IPC would be applicable and leviable against Applicant in present facts of the case. He would submit that investigation is complete and charge-sheet has been filed. He would submit that role of present Applicant is prima facie distinct with the role of other co-accused person who had infact procured the alleged false and fabricated surety document as also submitted it to the Court for facilitating the release of his father from prison.*
6. *Ms. Gajare Dhumal, learned APP is directed to take appropriate instructions and ascertain the veracity of the aforesaid submissions made by Mr. Awasthi and accordingly apprise the precise role of the Applicant in the present case on the next adjourned date to enable the Court to consider the role of the Applicant for grant of bail.*

- 7. Learned Advocate for Applicant would submit that the other co-accused person has already been granted bail.*
- 8. The aforesaid fact can also be verified by the learned prosecutor and informed to the Court on the next adjourned date.*
- 9. Advocate for Applicant is directed to serve a copy of the Application on Ms. Gajare - Dhumal forthwith.*
- 10. List the Bail Application on Board on 4th July, 2025.”*

7. In view of the above, the Applicant deserves to be released on bail, considering the role attributable to him as also his long incarceration for 23 months and the fact that he is a student of Faculty of Arts, so as to enable him to be given an opportunity to complete his studies.

8. The Applicant has therefore made out a case for grant of bail. Bail is granted. The Application is allowed on the following terms:-

- (i) Applicant is directed to be immediately released from prison in connection with C.R. No. 194 of 2024;
- (ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs. 20,000/- (Rs. Twenty Thousand only) with one surety of the like amount;
- (iii) Applicant shall report to the Investigating Officer at Shivajinagar Police Station, once in three month on the first

Monday of the first month between 10:00 a.m. to 12:00 p.m.;

(iv) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted and will not take any unnecessary adjournments, if he does so it will entitle the prosecution to apply for revocation of this order;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current address and mobile contact number and / or change of residence or mobile details, if any, from time to time, as applicable;

(viii) The Applicant shall keep himself available on mobile phone;

(ix) The Applicant is permitted to furnish provisional cash bail security in the sum of Rs.20,000/- (Rs. Twenty Thousand only), for a period of four weeks, in lieu of surety. He shall furnish the surety on or before expiry of the said period;

(x) Any infraction of the conditions shall entail cancellation of bail granted to the Applicant.

Bail Application is allowed and disposed of in the above terms.

[MILIND N. JADHAV, J.]