

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

924 BAIL APPLICATION NO.497 OF 2023

GAUTAM VASANT JADHAV
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Bhosale Mahesh Kalidas.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 11.04.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant was the Bank friend. He was to open the bank accounts, accept the receipts and distribute the pension to the remote villagers. The applicant had collected money from many persons, but did not deposit in the bank. The, learned counsel for the applicant has argued that he is not but bank employees were responsible for misappropriation of money. However, the evidence collected against him shows that around Rs.19,75,000/- were lying with him. He has no explanation how did he make such a huge amount. Without admitting the allegations, to show his bonafide, he offers to

deposit Rs.19,75,000/- within six months and prays for bail. Besides the above, it has also been argued that he is the only earning member of his family. The charge sheet has been filed and the case is likely to be opened in near future.

3. Learned APP opposed the application. He would argue that the offence is serious. Huge amount of Rs.45,00,000/- has been misappropriated. Hence, he may not be granted bail.

4. Perused the charge sheet. The allegations have been levelled against the applicant that he had received the money from depositors and bank account holders. But did not deposit either in their account or in fixed deposits. The amount of Rs.19,75,000/- was lying with him. He is behind bar since 2022. The trial is likely to begin, but it may take its time. His bonafide offer to deposit Rs.19,75,000/- in the Trial Court may be considered. That amount may help the poor depositors to get their money back. The investigation has been completed. There are no complaints against the applicant that he has tampered with the prosecution witnesses. In the facts and circumstances of the case, the prosecution would not suffer if the bail is granted. Hence, the following order :

ORDER

- (i) Bail Application is allowed.

(ii) Applicant **GAUTAM VASANT JADHAV** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.180 of 2021, registered by Police Station Parner, District Ahmednagar, for the offences punishable under Sections 420, 408, 406, 464, 465, 467, 468, 471 of the IPC, on the conditions that ;

- (a) The applicant shall not tamper with the prosecution witnesses.
- (b) He shall not contact any way to any of the complainant and the bank customers till the conclusion of the trial.
- (c) He shall deposit Rs.19,75,000/- with Trial Court within six (6) months from today.
- (d) He shall be released only after depositing the amount any time within six (6) months.

(S. G. MEHARE, J.)

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vmk/-