



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

902 BAIL APPLICATION NO. 1164 OF 2024

PRAVIN SURESH LAHARE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Narwade Narayan B.

APP for Respondent-State : Mr. S.P. Sonpawale

WITH

**CRIMINAL APPLICATION NO. 2972 OF 2024
IN BA/1164/2024**

DHONDOPANT MOHINIRAJ KULKARNI AND ANOTHER
VERSUS

PRAVIN SURESH LAHARE AND ANOHTER

...

Advocate for Applicant : Mr. Gholap Ajit Manohar

APP for Respondent-State : Mr.S.P. Sonpawale

WITH

**CRIMINAL APPLICATION NO. 3323 OF 2024
IN BA/1164/2024**

SURYAKANT KANAKMAL GANDHI AND ANOTHER
VERSUS

PRAVIN SURESH LAHARE AND ANOTHER

...

Advocate for Applicant : Mr. Ostwal Abhaykumar Dilip

APP for Respondent-State : Mr.S.P. Sonpawale

...

CORAM : S. G. MEHARE, J.

DATE : 9th October, 2024.

P.C.:

1. Heard the learned counsel for the applicants, learned APP for the respondent-State and the learned counsel for the first informant.
2. The applicant seeks bail in Crime No.121 of 2022 registered with Kotwali Police Station, Dist. Ahmednagar, for the offences punishable

under sections 409, 420, 467, 468 and 471 read with 34 of the Indian Penal Code and section 3 of the M.P.I.D. Act.

3. It has been alleged against the applicant that he has raised book debt and working capital loan for his firm though he was not able to repay the loan. He increased the valuation of the mortgaged property and prepared incorrect financial statement to secure the loan. The entire loan of Rs.3 Crores granted to his firm was transferred to one Manoj Vasumal Motiyani, who was a close to Dilip Gandhi-the Ex-Chairman of the Bank. ManojMotiyani purchased the property from that amount and mortgaged it as a security to the loan raised by the applicant. He also used the loan for the purpose other than for which it was sanctioned. He deliberately did not repay the loan. He for himself and for the benefit of the Chairman of the Bank, Directors of the bank and Bank Officers including Manoj Vasumal Motiyani raised the loan and played a fraud.

4. Mr. Narwade, the learned counsel for the applicant argued that the applicant is a Mason. Long back he had applied for a loan of Rs.5,00,000/- to the bank and at that time, he had submitted certain relevant documents. However, his loan application was rejected. Thereafter, he never turned to the bank. When he was arrested in the crime, that time he learnt that such a huge loan of Rs.3 crores has been transferred to his bank account. He never dealt with so-called bank account. He did not know who was using that account.

Considering his status, particularly the profession in no case he would receive such a huge loan of Rs.3 crores. It seems that Manoj Vasumal Motiyani was doing this all and his documents have been used to defraud the depositors. He was not the beneficiary of the loan at all. Hence, he may be granted bail.

5. The learned APP has opposed the application. He would submit that the applicant had knowledge about the loan raised in his name. He was close to Manoj Vasumal Motiyani and he allowed him to use his name. He was running a firm of building material supplier. However, he appears to be not the beneficiary of the amount transferred to his account.

6. The facts as discussed above reveal that the applicant was at all no position to receive such a huge loan of Rs.3 crores. It has been transpired in the investigation that the said amount had been used by one Manoj Vasumal Motiyani. He purchased the land and mortgaged it with the Bank. Considering the status of the applicant, there appears a substance in the arguments of the learned counsel for the applicant that he is not a man to get such a huge amount. He is also not benefited from that loan. In such circumstances, he deserves bail. Hence, the following order:

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **PRAVIN SURESH LAHARE** be released on

bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of like amount, in above crime for the aforesaid offences, on the following conditions :

- (a) He should not tamper with the prosecution witnesses.
 - (b) He should not indulge in identical crimes.
 - (c) He should attend the trial on each and every effective date for trial and co-operate with the Trial Court to conclude the trial.
 - (d) He should co-operate with the Investigating Officer as and when called for any investigation pertaining to this crime or any other crime related to this crime.
- (iii) Criminal Application Nos.2972 of 2024 and 3323 of 2024 stand disposed of.

(S.G. MEHARE, J.)

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