



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

BAIL APPLICATION NO. 1412 OF 2023

NILESH YUVRAJ SHINDE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Satej S. Jadhav
APP for Respondent : Mr. D. J. Patil
...

CORAM : S. G. MEHARE, J.

DATE : 28-06-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent.
2. The applicant seeks bail in C.R.No.49 of 2022 registered with Mehunbare Police Station, District Jalgaon, for the offences punishable under Sections 420, 406, 409, 465, 467, 468 and 471 read with Section 34 of the Indian Penal Code.
3. The applicant was the person who was assisting the customers for depositing the money in the bank and withdrawal. The village customers had paid him money to deposit with the bank. However, after some days, it was revealed to the depositors that money was not deposited in their accounts and it was misappropriated. Simultaneously, there were complaints of many

bank account holders, and finally the crime was registered. The applicant was not released on bail since *prima facie* allegations levelled against him. Since 17.03.2022, he is behind bar.

4. Learned counsel for the applicant submits that trial was commenced. Eight witnesses were examined, out of which most of the witnesses are depositors/account holders. Then further inquiry was done by Economic Office Wing, due to which, the progress of the trial was stalled for one year. The Economic Offence Wing *prima facie* held the Bank Manager responsible for misappropriating the amount of the depositors from their accounts. Since the applicant was languishing in jail, the progress report of the trial had been called. The trial Court, considering the large number of witnesses and subsequent developments of the investigation, had shown inability to predict the time to conclude the case. It is contended that since the Bank Manager has been enlarged on bail, the applicant has an apprehension of protracting the trial at his end.

5. The situation has been changed. The trial Court is not sure about the period to conclude the trial due to further investigation by Economic Offence Wing. In the situation, it would be inappropriate to keep the applicant behind bar for uncertain period. He has roots in the village. There are least chances of his absconding. Therefore, the application deserves to be allowed.

Hence, the order :-

ORDER

- i) The application is allowed.
- ii) Applicant Nilesh Yuvraj Shinde be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in the above crime for the aforesaid offences, on the conditions that,
 - (a) He shall not tamper with the prosecution witnesses.
 - (b) He shall attend the trial on each and every date.

(S. G. MEHARE)
JUDGE

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