



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

949 ANTICIPATORY BAIL APPLICATION NO. 2181 OF 2024

SUDAM MANSING CHAVAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Abhaysinh K. Bhosle
APP for Respondent/State : Mr. A.A.A. Khan
...

WITH
ANTICIPATORY BAIL APPLICATION NO. 280 OF 2024

PANKAJ SHESHRAO CHAVAN
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. R.P. Pawardhan h/f. Mr. Jadhav Satej S.
APP for Respondents 1 & 2 : Mr. A.A.A. Khan
...

CORAM : ARUN R. PEDNEKER, J.
Dated : February 04, 2025

PER COURT :-

1. Heard the learned counsel for the applicants and the learned APP for the respondents-State.
2. The applicants are apprehending arrest in connection with Crime No. 26/2022 dated 21.1.2022 registered with Bidkin Police Station, District Chh. Sambhajinagar (Rural) for the offences punishable under sections 406, 420 r/w. 34 of I.P.C. and u/s. 3 of MPID Act.
3. This Court by order dated 24.12.2024 in ABA No. 2181/2024 and by order dated 28.2.2024 in ABA No. 280/2024 has granted interim protection to the applicants herein.
4. The learned counsel for the applicants submits that in the Special Case No. 81/2022 by judgment dated 3.1.2024, the Special Judge under

MPID Act has acquitted accused No. 3 – Sachin alias Santosh Namdeo Rathod in the above crime. The learned counsel submits that in pursuance of the orders passed by this Court, the applicants have attended the police station and have cooperated with the investigation and the applicants have also produced the bank statements.

5. The learned counsel submits that the judgment is passed in the case of co-accused and the Court has specifically noted that there is no such scam as alleged by the accused therein and other co-accused, which are present applicants.

6. The learned counsel for the applicant in ABA No. 2181/2024 submits that account statement of this applicant would indicate that the amount has been parked in the account of this applicant and the same was transferred in the account of main accused, who has been acquitted.

7. So also the learned counsel for applicant in ABA No. 280/2024 points out the bank statement of the applicant and submits that amounts were given to the informant and one witness and the said amounts were returned to him.

8. Considering that the main accused has been already acquitted and the allegation against the applicant in ABA No. 2184/2024 is that primarily the amount from his bank account was transferred in the account of the main accused, so also considering the bank statement of the applicant in ABA No. 280/2024 and considering that in pursuance of the interim protection granted by this Court and that the applicants have attended the concerned police station and have cooperated with the investigation, this Court is inclined to confirm the interim protection granted in favour of the applicants.

9. In view of the above, the applications are allowed and the interim protection granted in favour of the applicants by order dated 24.12.2024 in ABA No. 2181/2024 and by order dated 28.2.2024 in ABA No. 280/2024 is confirmed on the following terms :

- i] The applicants shall attend the police station as and when required.
- ii] The applicants shall not tamper with the evidence of the prosecution in any manner. The applicants shall not influence the informant, witnesses and other persons concerned with the case.
- iii] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

10. In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

11. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail applications only and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

12. The applications stand disposed of.

(ARUN R. PEDNEKER, J.)

ssc/