2025:BHC-AUG:20431

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1008 BAIL APPLICATION NO.744 OF 2025

AMOL SHIVAJI PARASKAR
VERSUS
THE STATE OF MAHARASHTRA
...
Advocate for Applicant : Mr.V.D.Salunke a/w. Mrs.J.R.Nawale
APP for Respondent-State : Mr.P.P.Dawalkar
…

CORAM : ARUN R. PEDNEKER, J.
DATE : 31.07.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is seeking bail as he is arrested on 15.02.2025 in connection with Crime No.140/2024, registered with Beed Police Station, Beed, for the offence punishable under Sections 34, 420, 406, 409 of the IPC r/w. Section 3 & 4 of the MPID Act.

3] The case against the present applicant is that the applicant has opened saving account No. 10001417 and some amount came to be transferred on his saving account from the current account No.176 of the Dnyanradha Multistate Co-operative Society. As such, the applicant is arrested on 15.02.2025.

4] In the instant case, the applicant is the Vice President of the Motor Vehicle Department of Tirumala Oil Refinery. It is stated that Tirumala Oil Refinery is also part of the Kute group and Kute group also controlled Dnyanradha Multi-state Co-operative Society. The applicant being Vice President of Tirumala Oil Refinery has received certain amounts from the Dnyanradha Multi-State Co-operative Society into account of the present applicant. It is also stated that another company, namely, D.N.R.India Auto-tech Pvt. Ltd. is also in control of the Kute Group and the said company has received large loans from Dnyanradha Multi-state Co-operative Society without security deposit and part of the amount received by the said company is transferred to the applicant in his above-noted account. Total amount received by the applicant from the above account is Rs.7,61,50,000/-. As such, the applicant is made co-accused as one of the recipient of the defrauded amounts of Dnyanradha Multi-state Co-operative society.

5] The learned counsel for the applicant submits that the allegation is that the applicant received an amount of Rs.7,61,50,000/- from 23.03.2016 to 16.09.2016 in his account. The FIR is registered for the offence for the period from 04.12.2018 to 04.06.2024. He further submits that mobile No. 8421763376 linked with saving account no.10001417 is not in the name of the applicant and the saving account opened in the name of the applicant was maintained by the members of the Kute family. He further submits that the applicant is the employee of the Tirumala Oil Refinery and the mobile number linked with the saving account does not belong to the applicant. The learned counsel further submits that there is no evidence that the amounts are withdrawn by the present applicant and there are no vouchers to that effect and there is no material to show that the applicant is the beneficiary of the said amount. He further submits that the applicant is arrested on 15.02.2025 and charge sheet is filed and there is no further material against the present applicant that he is beneficiary of the said amount. Considering the said fact, the bail should be granted in favour of the applicant.

6] *Per contra*, the learned APP submits that huge amount is received in the account of the present applicant and the present applicant had withdrawn the amount in cash on the same day and the various amounts were transferred into the said account.

7] Considering the rival submissions. *Prima facie*, there is no evidence to show that the applicant has any way utilized the amounts, which are shown to have been credited into this account, so also, transfer in the said account is of the year 2016. Although the account is in the name of applicant in Dnyanradha Multi-state Co-operative Society. The Dnyanradha Multi-state Co-operative Society was in control of Kute group. The mobile number linked to the account is *prima facie* as per the details submitted by the applicant in the name of Senior Executive of Kute Group. There is no evidence that the applicant had withdrawn the deposited amounts in cash in entirely on the date of transfer. There are no vouchers signed by the applicant. Considering this aspect, there is no material to show that the applicant is beneficiary of the account and that he has withdrawn the said amount deposited in account maintained in the name of the applicant. The applicant is the Vice President of the Motor Vehicle Department of Tirumala Oil Refinery and Tirumala Oil Refinery is part of the Kute group and Kute group also controlled Dnyanradha Multistate Co-operative Society. Considering the same, *prima facie*, Kute group has withdrawn the said amount for the benefit of the Tirumala Oil Refinery or of any other person. Considering this aspect of the matter, the applicant is granted bail. The application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.140/2024, registered with Beed Police Station, Beed, for the offence punishable under Sections 34, 420, 406, 409 of the IPC r/w. Section 3 & 4 of the MPID Act, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

8] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC