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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 ANTICIPATORY BAIL APPLICATION NO. 686 OF 2025

SAROJ SHRIKISHAN BHUTADA
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr.Satej S.Jadhav a/w Mr.Patvardhan, Advocate for the Applicant.
Mr.K.K.Naik, APP for the Respondent/State.

(CORAM : ADVAIT M. SETHNA, J.)

DATE : 08 AUGUST 2025

P. C. :

1. Heard the learned Advocate for the Applicant and the learned APP for the Respondent/State.
2. At the very outset, the learned Advocate for the Applicant would invite the Court's attention to the order dated 24 April 2025, by which the Applicants have been protected. Paragraph No.4 of the said order stipulates certain terms and conditions, which have been imposed. Pursuant to passing of the said order, the Application has been listed on a few occasions before this Court. The learned Advocate for the Applicant would draw the attention of the Court to an order dated 20 September 2024 of this Court. In this regard, he would

submit that the prosecution, during the pendency of this Application, added offences under Sections 3 and 4 of the Maharashtra Depositors (Protection of Interests in Financial Institutions] Act, 1999 against the said Applicants. Pursuant thereto, by the order dated 20 September 2024, the Applicants sought leave to withdraw the Applications before this Court with liberty to file fresh ABA before the Sessions Court. Accordingly, the Anticipatory Bail Applications were disposed of as withdrawn with leave to file the Applications before the Special Court. However, interim relief granted to the Applicants, was continued by the said order.

3. It is thereafter that on 24 April 2025, the Court passed the order of interim protection as noted above in favour of the present Applicant. The learned APP, on instructions, would submit that pursuant to the order dated 24 April 2025, the Applicant has complied with the terms and conditions set out in the said order. She has duly attended the concerned Police Station. She has co-operated with the investigation. It can thus inferred that the Applicant has joined the investigation. As far as *prima facie* case is concerned, there is nothing adverse placed on record pursuant to the order dated 24 April 2025. However, the learned APP would urge that considering the large value

and volume of misappropriation and the fact that she is the Director of the said Co-operative Society, her physical custody would be necessary for the purposes of the ongoing investigation. He would oppose the grant of any interim relief in this Application.

4. The learned counsel for the Applicant would, however, submit that out of the persons arrayed as against in the FIR, accused Nos. 2, 3, 8 have been granted Anticipatory Bail by this Court vide different orders dated 7 February 2025 as far as Accused Nos. 3 and 8 are concerned. He would also submit that Accused Nos. 1 and 18 have been enlarged on regular bail by this Court vide different orders. It appears that all of these persons are Directors of the said Society. They were appointed even around the same time. The roles attributed to these persons as well as the present Applicant before this Court are similar, if not the same. The investigation has substantially progressed. It has culminated into a charge sheet dated 12 September 2024, where this Applicant is also arrayed as Accused in the said charge sheet.

5. Considering of all the facts as noted above and also the culmination of the investigation in the charge sheet so filed, physical custody of the Applicant at this stage may not serve any purpose . Thus in my view, the order dated 24 April 2025 needs to be confirmed by

passing the following order :-

ORDER

(i) In the event of arrest of the Applicant Saroj Shrikishan Bhutada in connection with Crime No.0261/2023, registered with Vedant Nagar Police Station, Dist.Aurangabad for the offence punishable under Sections 120-B, 34, 406, 409, 420, 467, 468, 471, the Applicant is directed to be released on bail on furnishing PR bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand Only) with one solvent surety in the like amount.

(ii) The Applicant shall attend the concerned Police Station as and when required. She shall co-operate the investigation.

(iii) The Applicant shall furnish details of residential address and other contact details such as the mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately informed to the concerned police station.

(iv) The Applicant shall not leave the jurisdiction of the Court without prior permission of the Court.

(v) She shall not contact and/or influence the witness/es and/or tamper with the evidence in any manner whatsoever.

(vi) The Applicant shall furnish all such documents in their possession/custody and information available with them as requisitioned by the Investing Officer.

6. Needless to mention that the observations made above are

prima facie for the purpose of adjudication of this Anticipatory Bail Application.

7. **The Anticipatory Bail Application is Allowed** in the above terms.

(ADVAIT M. SETHNA, J.)