



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

1011 BAIL APPLICATION NO. 917 OF 2025

Manoj Nagnath Fuleboyane @ Phuleboyane

VERSUS

The State Of Maharashtra

...

Advocate for Applicant : Mr. Ostwal Abhaykumar Dilip, Munot Saurabh Sunil
APP for Respondents-State: Mr. G. O. Wattamwar

AND

1012 BAIL APPLICATION NO. 918 OF 2025

Manoj Nagnath Fuleboyane @ Phuleboyane

VERSUS

The State Of Maharashtra

...

Advocate for Applicant : Mr. Ostwal Abhaykumar Dilip, Munot Saurabh Sunil
APP for Respondents-State: Mr. G. O. Wattamwar

CORAM : ARUN R. PEDNEKER, J.

Dated : July 22, 2025.

PER COURT :-

1. At the outset, the learned Counsel for the applicant seeks liberty to correct the name of the applicant from 'Manoj Nagnath Fuleboyane' to 'Manoj Nagnath Fuleboyane @ Phuleboyane' in both the applications.
2. Liberty is granted to carry out the correction as prayed. Amendment be carried out forthwith.
3. Heard the learned Counsel for the applicant and the learned APP for the respondent-State. In both the applications, the applicant is one and the same.
4. In **Bail Application No.917/2025**, the applicant is seeking bail in connection with FIR No.0077/2023, dated 05/02/2023, registered with MIDC Police Station, Latur, District Latur, for the offences punishable under

Sections 409, 420, 465, 467, 468, 469, 471, 474, 477, and 477-A read with Section 34 of the Indian Penal Code. However, the charge-sheet has been filed under Sections 420, 120-B, and 34 of IPC. The case has now culminated into RCC No.1892/2023, which is pending before the Additional Sessions Judge, Latur.

In **Bail Application No.918/2025**, the applicant is seeking bail in connection with FIR No.0043/2023, dated 21/01/2023, registered with the same police station (MIDC Police Station, Latur), for the offences punishable under Sections 420, 465, 467, 468, 469, 471, 474, 477, and 477-A read with Section 34 of IPC. The charge-sheet has now been filed under Sections 409, 420, 465, 467, 468, 469, 471, 474, 477, 477-A, and 120-B read with Section 34 of IPC. This case has culminated into RCC No.642/2023, which is pending before the Judicial Magistrate First Class, Latur.

5. This Court, while dealing with Bail Application No.735/2024 along with Bail Application Nos.742/2024 and 333/2024, by order dated 20/07/2024, granted bail to the co-accused and observed at paragraphs 10 and 11 as under : -

“10. Admittedly, there are no antecedents to the discredit of the applicants. Speedy trial is the fundamental right of accused as enshrined under Article 21 of the Constitution of India. Secondly, it is to be considered whether the applicants would flee away from the trial or interfere with the investigation, if any.

11. The papers reveal that the offence is based upon the documentary evidence. The main accused was public servant. He was playing fraud with the Government and transferring the money to the account of the firm, which is in the name of applicant Arun. The amounts were also transferred in the name of applicant Sudhir. The investigation reveals that a huge fraud has been played with the Government. The prosecution has expressed an apprehension that if the bail is granted, the misappropriated money, which the investigating officer could not detect, will not be recovered. It's public money. The accused may evade the trial. Recovery of defrauded money is essential."

6. This Court had earlier granted bail to other co-accused, considering the delay in the trial. The total amount involved in the alleged manipulation in both cases is approximately Rs.26,72,62,025/-. The learned Counsel for the applicant submits that an amount of Rs.3,50,00,000/- has already been deposited in the Treasury Office prior to the filing of the charge-sheet.

7. It is further submitted that the applicant was not produced before the Court by the jail authorities for about 45 times. Thereafter, the Presiding Officer was on leave, followed by the filing of the charge-sheet. Charges have been framed against the applicant/accused. On 20/07/2024, this Court granted bail to the co-accused on the ground of delay in trial.

8. The learned Counsel for the applicant submits that from the date of the said order dated 20/07/2024 till today, no further progress has taken

place in the trial i.e., for almost one year. Affidavit filed by the applicant is also taken on record, wherein he has undertaken that he shall remain present before the Trial Court on each and every date, shall not seek unnecessary adjournments, and that the bail granted to him may be cancelled if he remains absent without permission. He has further submitted to abide by any and all conditions imposed by this Court. The learned Counsel submits that the brother of the applicant (co-accused) is present in the Court and he also undertaking not to transfer any of the immovable properties in his name.

9. Considering the above circumstances, particularly the delay in trial, and the fact that co-accused has already been granted bail on similar grounds, the applicant is also entitled to be enlarged on bail, subject to the following conditions : -

a) The applicant shall be released on bail in connection with FIR Nos.0077/2023 and 0043/2023, registered with MIDC Police Station, Latur, District Latur, now culminating into RCC Nos.1892/2023 and 642/2023 respectively, on furnishing PR bond of Rs.50,000/- (Rupees Fifty Thousand only) with one or two sureties of the like amount, to the satisfaction of the Trial Court.

b) The applicant and his family including his wife and children shall not dispose any of their immovable properties till the conclusion of the trial.

- c)** The applicant shall not directly or indirectly contact the prosecution witnesses or tamper with the evidence in any manner.
- c)** The applicant shall remain present on each and every date of hearing before the Trial Court unless exempted by the Court for valid reasons.
- d)** The applicant shall not indulge in any act which may cause delay in the conclusion of the trial.
- e)** The applicant shall not alienate, dispose of, or create third-party interest in his property or in the properties of his wife, son, or daughter during the pendency of the trial.
- f)** The undertaking filed by the applicant shall form part of this order.

10. 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.

11. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.