



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

ANTICIPATORY BAIL APPLICATION NO. 983 OF 2025

RAKESH ROCHIRAM TEKWANI

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Patil Chandrakant P

APP for Respondent/State : Mr. S.P. Joshi

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CORAM : MEHROZ K. PATHAN, J.

DATE : 6th NOVEMBER 2025

PER COURT :

1. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.05/2010 registered at Shivajinagar Police Station, District Beed for the offences punishable under Sections 416, 120, 465, 468 read with Section 34 of the Indian Penal Code.

2. The case of the prosecution is that Ishwarlal Awatarai Tekwani had filed a private complaint before the learned Judicial Magistrate First Class, Beed for the offences punishable under Sections 416, 120, 465, 468 read with Section 34 of the IPC, against two accused, Jaykumar Tekwani and Rakesh Tewani. The learned JMFC has issued directions under Section 156(3) to register FIR. Pursuant to those directions, the FIR registered with Shivajinagar Police Station, Beed being Crime No.05/2010.

3. It is the contention of the present Applicant that, due to ill advice, he could not remain present before the Court, which consequently issued a non-bailable warrant against him. It is also submitted that the application for grant of anticipatory bail was allowed, to the main accused – Jaykumar, he was under the impression that even his application is allowed and as such he did not remain present before the Court.

4. As against this, the learned APP submits that the present Applicant is involved in a serious economic offence of cheating and criminal breach of trust, as such, his custodial interrogation may be necessary, since he has neither obtained anticipatory bail nor appeared before the learned Sessions Court after the filing of the charge-sheet, and has been consistently avoiding appearance. It is only in the year 2024 after the issuance of NBW that he had approached the learned trial Court for seeking anticipatory bail. He therefore submits that this is not a case warranting indulgence by way of granting anticipatory bail to the Applicant.

5. I have gone through the allegations made in the complaint and the FIR. I have also gone through the order passed in the case of Jaykumar Tekwani who happens to be the main accused in the aforesaid crime. Jaykumar Tekwani is already granted anticipatory bail by the learned Sessions Judge, Beed vide order dated 23.09.2011, hence, custodial interrogation of Applicant may not be necessary. The Applicant can also be therefore protected on the

condition of cooperating with the investigation so as to enable the Investigating Officer to file a supplementary charge-sheet, if any. Hence the following order :

ORDER

(i) In the event of arrest of the Applicant - Rakesh Rochiram Tekwani, be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousands) with one solvent surety in the like amount, in connection with Crime No.05/2010 registered at Shivajinagar Police Station, District Beed, on the following conditions :

(a) The Applicant is directed to attend the concerned police station and report to the Investigating Officer between 11:00 a.m. to 01:00 p.m. on every Monday and Tuesday, and as and when called, until the filing of the supplementary charge-sheet.

(b) The Applicant shall also attend the trial Court proceedings regularly without fail, except in case of any emergency that he shall seek exemption.

(c) It is made clear that a single instance of default in appearance before the learned Trial Court by the Applicant shall entail cancellation of the bail granted by this Court.

(d) The Applicant shall also cooperate with the investigation and produce all relevant documents as may be sought by the Investigating Officer for the purpose of completing the investigation.

(e) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

(f) The Applicant shall furnish his residential address, contact number and copies of his Aadhaar / PAN Cards to the Investigating Officer, and shall also provide the names, addresses, and contact numbers of his close relatives for the purpose of record and verification.

6. The application stands disposed of in the above terms.

MEHROZ K. PATHAN
JUDGE

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