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56-WP-825-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

56 CRIMINAL WRIT PETITION NO. 825 OF 2025

Vinodbhai Vajirbhai Patel

VERSUS

The State Of Maharashtra

...

Mr. Sudarshan J. Salunke, Advocate for the Petitioner.

Mr. S. B. Jadhav, APP for Respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 4th AUGUST 2025.

PC :-

1. Heard Mr. Salunke, the learned Advocate for the petitioner, and Mr. Jadhav, the learned APP for Respondent-State.
2. The petitioner has approached this Court as his application to furnish bail and bond came to be rejected by the learned Special Judge, Osmanabad (Dharashiv) vide application at Exhibit-46 in Special Case No.22 of 2024 dated 22nd November 2024.
3. It is the case that the petitioner is facing various prosecutions at various places under MPID and other general sections of the Indian

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Penal Code. The petitioner initially was granted bail, however, he did not furnish bail and bond i.e. P.R. bond and surety bond, in time. Various offences are pending against the petitioner of a similar nature at various places. It is in that way, the petitioner had approached the Hon'ble Apex Court with a prayer of clubbing all the matters pending before him and be tried at one place. In those proceedings, the Hon'ble Apex Court granted interim protection to the petitioner and other accused persons. It was directed to settle the claim of depositors. Subsequently, the Hon'ble Apex Court observed that the petitioners therein are guilty of suppressing material facts. In spite of several chances, they are not showing any interest in settling the claim of the depositors and the court ultimately dismissed the SLP. The Interlocutory applications were also disposed off by order dated 16th July 2024.

4. Presently, the petitioner is in jail in Surat and he is in custody of Special Judge at Surat. It is the case of the petitioner that pursuant to the order passed by the learned Special Judge, Dharashiv, he had gone to furnish the bail and bond. However, the said are not accepted and

thus he is before this Court.

5. Learned Advocate for the petitioner made a submission on merits that the offences were registered for the period from 2011, whereas the petitioner himself was appointed in the year 2015 as a director of the company and is therefore in no way responsible for the alleged offences. This court need not go into the submission on merits. For the present, the question is only about the acceptance of PR bond and surety bond of the petitioner.

6. Learned APP vehemently opposed the petition. He submits that it is the conduct of the petitioner which needs to be seen in the present case. He submits that even before the Hon'ble Apex Court certain facts were suppressed. Though the Hon'ble Apex Court had granted interim protection on the conditions of settlement of the claim, the same was not done. The conduct of the petitioner is recorded even by the Hon'ble Apex Court. In such view of the matter, petition deserves to be dismissed.

7. This court finds that the question is about the acceptance of PR

bond and surety bond toward condition of bail. It is a matter of record that presently, the petitioner is in jail in Surat. The Court at Dharashiv had already granted bail on merits. However, latter on, refused to accept bail bond on a technical ground. Once liberty having been granted, it cannot be taken away lightly, especially on a technical ground.

8. Considering above, this Court is of the opinion that the impugned order deserves to be set aside. The impugned order is, therefore, set aside. The petitioner is at liberty to surrender before the Court only for the purpose of furnishing PR bond and surety bond as per the condition imposed by the Court while granting bail. No fresh application is required after surrender.

9. With this, petition stands disposed off.

[KISHORE C. SANT, J.]