



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

1030 BAIL APPLICATION NO. 1158 OF 2025

Vijaykumar Mahadev Randive,  
Age : 41 years, Occupation : Service,  
R/o. Wakdi Kej, Tq. Kallamb,  
Dist. Dharashiv.

... Applicant

**Versus**

1. The State of Maharashtra,  
through Kotwali Police Station  
Ahilyanagar, Tq. & Dist. Ahilyanagar.

2. The Superintendent of Police,  
Ahilyanagar, Tq. & Dist. Ahilyanagar.

... Respondents

...  
Mrs. S. K. Doke h/f. Mr. Estling S. Murge, Advocate for applicant.  
Mr. N. B. Patil, APP for Respondent Nos.1 and 2-State.

...

CORAM : SANJAY A. DESHMUKH, J.

DATE : 26<sup>th</sup> AUGUST, 2025

P.C.:-

. Heard learned Advocate for the applicant and learned APP  
for Respondent Nos.1 and 2-State.

2. This is an application for granting bail under Sections 409  
and 420 read with Section 34 of the Indian Penal Code (IPC) in  
connection with crime No.0088 of 2025 dated 12<sup>th</sup> February 2025,  
registered with Kotwali Police Station, Taluka and District Ahilyanagar.

3. The applicant was working as an Accountant on a contract  
basis under the National Health Mission. It is alleged that he had

withdrawn an amount of Rs.15,00,000/-, which was subsequently deposited in the State Bank of India in the bank account of the 15<sup>th</sup> Finance Commission. However, the remaining amount of Rs.16,50,000/- was not deposited. Consequently, a crime was registered against him for misappropriation of the said amount. It is alleged that the applicant has committed an offence of criminal breach of trust and cheating. During the course of arguments, the learned Advocate for the applicant submitted that the applicant has already deposited that amount alleged to have been misappropriated.

4. Learned Advocate for the applicant pointed out that certain gold ornaments, a plot of non-agricultural land valued at Rs.6,80,000/-, and cash of Rs.4,00,000/- is already seized by the Investigating Officer. It is further submitted that the applicant is willing to deposit the remaining amount of Rs.1,64,000/-, for which a demand draft was drawn on Saraswat Bank, Ahmednagar has been produced before this Court. It is lastly prayed that, as the investigation is complete and the trial is likely to take a long period, the applicant be released on bail.

5. Learned Advocate for the Respondent-State strongly opposed the application and submitted that the applicant is involved in a serious crime of cheating and criminal breach of trust punishable under Section 409 of the IPC. It is further submitted that if the applicant is

released on bail, he may pressurize the prosecution witnesses and tamper the evidence. It is prayed to reject the application.

6. Perused the application, FIR, papers of investigation, and the entire charge-sheet. Applicant had already deposited an amount of Rs.15,00,000/- prior to the lodging of the report, which indicates that, realizing his conduct, he had repaid the said sum. With regard to the remaining amount of Rs.16,50,000/-, it is submitted by learned Advocate for the applicant, and also reflected in the seizure panchanama, that articles and a plot worth Rs.14,86,300/- have been seized. In addition, today a demand draft of Rs.1,64,000/- has been produced before this Court in the name of the Registrar, High Court of Bombay, Bench at Aurangabad.

7. Considering the conduct of the applicant, though he is involved in a serious offence of cheating, misappropriation, and criminal breach of trust by a public servant, this Court is of the view that the application deserves to be allowed, subject to certain conditions. Hence, the following order is passed:—

### **ORDER**

(i). Application is allowed.

(ii). The applicant in connection with crime No.0088 of

2025 dated 12<sup>th</sup> February 2025, registered with Kotwali Police Station, Taluka and District Ahilyanagar be released on bail on furnishing personal bond of Rs.15,000/- with one local surety of the like amount with following conditions:-

- (a). The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.
- (b). The demand draft in the name of Registry of Bombay High Court, Bench at Aurangabad be handed over to the Registry for realization.
- (c). The investigating officer concern is directed to prefer the application for getting the said amount which may be the part of the investigation and he may proceed further with that amount as per the law.
- (d). The applicant and his wife-Priyanka are directed not to create any third party interest in any manner in plot No.12, situated in Survey No.8/72 of the Municipal Council, Kadegaon as stated in the seizure panchanama dated 12<sup>th</sup> February 2025.
- (e). The applicant and his wife are directed to submit an undertaking in the Trial Court along with application while releasing the applicant on bail and it will be sent to the jail authority for signing of the applicant. After signing by the applicant and his wife, it be kept

along with charge-sheet in the regular case which is pending before the Trial Court.

**(SANJAY A. DESHMUKH, J.)**

*Tauseef*