



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

923 BAIL APPLICATION NO. 1197 OF 2021

**PRASHANT PRAKASH ZAWARE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

...

Mr. N. B. Patil ,APP for Respondents/State

...

AND

**CRIMINAL APPLICATION NO. 377 OF 2022
IN BA/1197/2021**

DR. YOGESH BALKRISHNA GETHE

VERSUS

PRASHANT PRAKASH ZAWARE AND OTHERS

...

Mr. Shermale K. N., Advocate for Applicant

Mr. N. B. Patil ,APP for Respondents/State

...

AND

**CRIMINAL APPLICATION NO. 2571 OF 2021
IN BA/1197/2021**

DR. YOGESH BALKRISHAN GETHE

VERSUS

PRASHANT PRAKASH ZAWARE AND OTHERS

...

Mr. Shermale K. N. (filed In Court), Advocate for Applicant

Mr. N. B. Patil ,APP for Respondents/State

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 22.08.2025

PER COURT :-

BAIL APPLICATION NO. 1197 OF 2021

1. The learned counsel for the applicants is absent.
2. As per the order dated 24th June, 2025, Mr. S. S. Dixit, learned counsel appearing for the applicants submitted that he was not in

contact with the applicants. Accordingly, notice was issued. However, the notice is still awaited, as the office note shows that the applicants were not found on the given address. Therefore, it appears that the applicants are not willing to follow the terms and conditions and are taking disadvantage of the temporary bail granted by this Court, vide order dated 28th October, 2021.

3. The learned APP pointed out the order dated 04th April, 2022 in which it is observed that the applicants have not surrendered before the Superintendent, Prison and the matter was, therefore, kept on 11.04.2022. Thereafter, by order dated 08th June, 2022, it was clarified that there was no such order directing applicants to surrender.

4. Considering all these reasons, the application deserves to be dismissed in default. The temporary bail granted by order dated 28th October, 2021 is hereby cancelled. The applicants are directed to surrender before the concerned Jail Authority on or before 27.08.2025. On surrender of the applicants, the jail authority is directed to inform the concerned Trial Court about the same. If the intimation of surrender is received by the Trial Court on or before 28.08.2025, the Trial Court may proceed further as per the law. However, if no such intimation is received from the jail authority, the Trial Court to proceed further as per the law for securing the presence of the applicants for keeping them behind the bar i.e., in Magisterial custody

as per law.

5. The Application stands dismissed.

**CRIMINAL APPLICATION NO. 377 OF 2022
IN BA/1197/2021**

1. As per the direction of this Court, the applicants in Bail Application No.1197 of 2021 have deposited an amount of Rs.5 lakhs in this Court. The present applicant is the informant, who has been deceived for an amount of Rs.40 lakhs.
2. Considering all these aspects, the absence of the applicants and in order to proceed further with the Bail Application which stands dismissed today, this application deserves to be allowed in the interest of justice.
3. The application is allowed in terms of prayer clause 'B' with accrued interest, if any. The learned counsel for the applicant undertakes to communicate this order to the concerned jail authority as well as the Trial Court seized with the matter.

**CRIMINAL APPLICATION NO. 2571 OF 2021
IN BA/1197/2021**

1. Heard learned counsel for the applicant.
2. For the reasons stated in the application, the application is allowed and disposed of.

[SANJAY A. DESHMUKH, J.]