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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

962 ANTICIPATORY BAIL APPLICATION NO. 1730 OF 2024

JAGDISH SUBHASH MHASE
VERSUS
THE STATE OF MAHARASHTRA

Mr.R.V.Gore, Advocate for the Applicant.
Mr.A.V.Lavte, APP for the Respondent/State.

(CORAM : ADVAIT M. SETHNA, J.)

DATE : 23 JULY 2025

P C. :

1. Heard the learned Advocate Mr.Gore for the Applicant and the learned APP for the State.
2. This matter has been listed from time to time. The last order was passed on 22 July 2025 listing the application for further consideration today. The learned APP was to take instructions, which he has so done. At the very outset, attention of the Court is drawn to the order dated 14 October 2024, by which the Applicant was protected. The Court, in the said order, has noted the statement of the Applicant that in the absence of the applicant, the verification of the gold could not have been done as this would be contrary to the

established procedure. Pursuant to the said order and the conditions set out therein in paragraph No.4, the learned APP, on instructions, would state that such conditions have been duly complied with by the Applicant. There is no breach of the order in as much as the said conditions are concerned. He has co-operated with the Investigating Agency. This would mean that the Applicant has joined the investigation. As far as *prima facie* case is concerned and pursuant to the order dated 14 October 2024, there is nothing adverse on record by the prosecution in regard to prima facie case against the Applicant. At this stage, the learned APP draws the attention of the Court to a communication dated 22 May 2023, addressed by this Applicant to the Manager, Indian Overseas Bank, Branch Sangamner, where *inter alia* the Applicant has accepted the wrong committed by him and that he would bring back the said amounts as noted in the said communication. This is a part of the investigation material/case diary. In my view, considering the applicable provisions of Law including that of the Evidence Act, this communication would be appropriately dealt with by the Trial Court at the stage of the trial.

3. Considering the above, the Interim Order dated 14 October 2024 deserves to be confirmed. The Anticipatory Bail Application of

the Applicant is allowed by the following terms, which in my view would meet the ends of justice.

ORDER

(i) In the event of arrest of the Applicant in connection with C.R. No.633/2023, registered with Sangamner City Police Station, Dist. Ahmednagar, for the offences punishable under Sections 420, 465, 467, 474, 120-B, 34 of the Indian Penal Code, the applicant is directed to be released on bail on furnishing PR bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand Only) with one solvent surety in the like amount.

(ii) The Applicant shall attend the concerned Police Station on every Monday at 11.30 am. He is further directed to co-operate the investigation.

(iii) The Applicant shall furnish details of residential address and other contact details such as the mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately informed to the concerned police station.

(iv) The Applicant shall not leave the jurisdiction of the Court without prior permission of the Court, until further orders.

(v) He shall not contact and/or influence the

witness/es and/or tamper with the evidence in any manner whatsoever.

4. ABA is allowed in above terms.
5. Needless to mention that the observations recorded above are made only for the purpose of adjudicating this Anticipatory Bail Application.

(ADVAIT M. SETHNA, J.)