



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1027 BAIL APPLICATION NO. 985 OF 2025

MANCHAK BABURAO BHISE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Deshmukh Arvind S.
APP for Respondents/State : Mr. P.P. Dawalkar
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 01/07/2025

P.C. :

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail as he was arrested on 9.1.2025 in connection with Crime No. 4/2025 dated 7.1.2025 registered with Purna Police Station, District Parbhani for the offences punishable under sections 420, 409, 467, 468, 471 r/w. 34 of I.P.C.
3. The learned counsel for the applicant submits that the co-accused who were similarly placed or who were having higher role than the present applicant are granted bail and some of the co-accused were also protected in whose accounts money was transferred. The learned counsel submits that accused No. 2 is the head of the department and he is also released on bail. The learned counsel submits that the co-accused i.e. accused No. 3 and accused No. 4 were granted bail by this Court by orders dated 22.1.2025 and accused No. 6 was also granted bail by order dated 4.3.2025. The learned counsel without arguing the matters on merits seeks bail to the present applicant on the ground of parity.

4. The learned APP strongly opposed the application on the ground that the role of the applicant is higher than those who were granted bail in this crime. The learned APP submits that applications for cancellation of bail is filed by the State against some of the accused who were granted bail. The learned counsel submits that the entire misappropriation is done at the instance of the present applicant and the applicant is the main accused. The learned APP submits that at this stage, it is difficult to separate the role of the applicant from others and he therefore, prays for rejection of the application.

5. Considering the above submissions, without going into the merits, as some of other accused whose role is identical to the present applicant i.e. the Senior Accountant and other office bearers the accused are granted bail, on the ground of parity, I deem it appropriate to grant bail to the present applicant. The State is at liberty to file application for recall of this order, if the application filed for cancellation of bail of other accused is allowed. Liberty is also granted to the applicant to contest such application, if filed by the prosecution.

6. In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No. 4/2025 dated 7.1.2025 registered with Purna Police Station, District Parbhani for the offences punishable under sections 420, 409, 467, 468, 471 r/w. 34 of I.P.C., on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact

the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court, for reasons to be recorded in writing.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

7. Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.

8. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/