

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 770 OF 2024

Hemchandra Motiram Chaudhari	...Applicant
Versus	
The State of Maharashtra	...Respondent

**WITH
INTERIM APPLICATION NO.1191 OF 2024
IN
ANTICIPATORY BAIL APPLICATION NO. 770 OF 2024**

Sagar Vishwanath Suralkar	...Applicant
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IN THE MATTER BETWEEN :

Hemchandra Motiram Chaudhari	...Applicant
Versus	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 722 OF 2024**

Nilesh Hemchandra Chaudhari	...Applicant
Versus	
The State of Maharashtra	...Respondent

**WITH
INTERIM APPLICATION NO.1192 OF 2024
IN
ANTICIPATORY BAIL APPLICATION NO. 722 OF 2024**

Sagar Vishwanath Suralkar	...Applicant
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IN THE MATTER BETWEEN :

Nilesh Hemchandra Chaudhari	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Harshad Bhadbhade a/w Ms. Shagufa Patel, Ms. Nikita Mandaniyan and Mr. Dileep Satale, Advocate for the Applicant.

Mr. Rohan Sonawane Advocate for the Intervenor.

Mrs. P. S. Rane, A.P.P. for the Respondent – State.

Ms. Trupti D. Sonawane (P.I.), EOW, Nashik City, present.

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CORAM : N. R. BORKAR, J.
DATE : 21st JANUARY, 2025.

P.C.:

1. As all these applications for anticipatory bail are arising out of one and the same crime, they are being disposed by this common order.

2. The applicants are apprehending their arrest in Crime No.250 of 2023 registered at Gangapur Police Station, District : Nashik, for the offences punishable under Sections 408, 420 r/w Section 34 of the Indian Penal Code, 1860.

3. The allegations against the present applicants are that the applicant in Anticipatory Bail Application No.770 of 2024 was managing the entire affairs including financial affairs of three wine shops viz. Samadhan Wines, Ashoka Wines and

Satyam Wines. It is alleged that he along with other co-accused, who are his family members during the period from April-2013 to March-2023 in connivance with each other misappropriated the amount to the tune of Rs.10.29 Crore.

4. I have heard the learned counsel for the applicant, learned A.P.P. for the Respondent-State and the learned counsel for the Intervenor.

5. According to the complainant, the owners of the shops in question were not able to look after the business of the said wine shops and thus they permitted the complainant – Hira Sales Pvt. Ltd. to conduct the business of the said shops for certain monetary consideration. However, there is no documents to that effect. Apart from it, the prosecution has recorded the statement of the said shop owners. There is no reference of alleged consideration received from the complainant and that the complainant company was permitted to consider the business of their shops. In absence of such material, I am inclined to release the applicants on anticipatory bail.

ORDER

- (i) Anticipatory Bail Application is allowed;
- (ii) In the event of arrest of the applicants in connection with Crime No.250 of 2023 registered at Gangapur Police Station, District : Nashik, for the offences punishable under Sections 408, 420 r/w Section 34 of the Indian Penal Code, 1860, the applicants be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount;
- (iii) The applicants shall attend the concerned Police Station as and when called by the Investigating Officer and shall co-operate with the Investigation.
- (iv) Anticipatory Bail Applications stand disposed of accordingly.
- (v) In view of disposal of Anticipatory Bail Applications, Interim Applications do not survive and stand disposed of accordingly.

(N. R. BORKAR, J.)