

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

Bail Application No.2428 of 2025

1. Bhawgir @ Mahesh Chhotugir Gosavi,
Age: 30 years, Occ.: Business
Residing at Kalamsare, Taluka Shirpur
District Dhule
(Presently at Krantinagar, Shirpur,
District Dhule)

2. Sanjay Bhagwan Nikumbhe,
Age: 49 years, Occ.: Driver
Residing at Krantinagar, Shirpur,
District Dhule
(Both at Present Yerawada Central Jail,
Pune)

... Applicants

(Org. Accused Nos.5 and 6)

versus

The State of Maharashtra
(At the instance of Yavat Police Station,
Pune vide C.R. No.965 of 2024)

... Respondent

With

Bail Application No.2209 of 2025

Nayan Dhanaji Chaudhary,
Age-21, Occ.- Labour,
R/at Tulai, Murbad,
Dist. Thane.
(Presently at Yerawada Central Jail)

... Applicant

(Original Accused No.4)

versus

The State of Maharashtra
(Through Yawat Police Station)

Pune, Maharashtra)

... Respondent

**With
Bail Application No.2347 of 2025**

Bhavesh Santosh Patil
Age- 25, Occ.- Service,
R/at Itade, Savad, Bhiwandi,
Dist. Thane.
(Presently at Yerawada Central Jail)

... Applicant
(Original Accused No.3)

versus

The State of Maharashtra
(Through Yawat Police Station
Pune, Maharashtra)

... Respondent

Mr Sachin Deokar, for the applicant in BA/2428/25.
Mr Sanjay Patil, for the applicant in BA/2209/25 and
BA/2347/25.
Mr Arfan Sait, APP, for the respondent/ State.
PSI Maroti Iranna M, Yavat Police Station, Pune Rural.

**Coram: R.N. Laddha, J.
Date: 11 December 2025.**

P.C.:

Heard the learned Counsel for the parties.

2. By these applications, the applicants (accused Nos.3, 4, 5, and 6) seek bail in connection with CR No.965 of 2024, registered at Yavat Police Station, Pune, for offences punishable under Sections 180 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. It is the case of the prosecution that on 1 October 2024, accused No.1 was apprehended under the Patas Bridge on the Pune-Solapur Highway and was found to be in possession of counterfeit currency notes amounting to Rs.1,50,000/-. Further investigation revealed that accused No.1 received these counterfeit notes from accused No.2, who, in turn, had obtained them from accused Nos.3 and 4. Further inquiries revealed that accused Nos.3 and 4 had received the said counterfeit currency from accused Nos. 5 and 6.

4. The learned Counsel appearing on behalf of the applicants, asserting the applicants' innocence, contended that the applicants have been falsely implicated in the crime solely based on the statement of the co-accused. It is submitted that the alleged counterfeit currency was recovered from accused No.1, not from the applicants. Apart from the bare assertions, there is no material to connect the applicants with the commission of the offence. They further submit that the applicants have been languishing in jail since 3 October 2024 and that, despite the filing of the charge sheet, charges have not yet been framed. Accused No.2 has already been released on bail, and the applicants are willing to abide by any conditions this Court deems fit to impose.

5. The learned Additional Public Prosecutor representing the respondent/ State, opposing the applicant's request for bail, submits that the offence is of a grave and serious nature. The applicants actively participated in the commission of the offence. The learned APP raises concern about granting bail to the applicants, as they may tamper with the evidence or influence witnesses.

6. This Court has given anxious consideration to the rival contentions canvassed across the Bar and perused the records.

7. A bare perusal of the statements of Mahendra Fanse, Bhanudas Bandgar, Hiralal Khomne, and Ganesh Mutekar, all recorded on 2 October 2024, does not indicate involvement of the applicants in the present crime. According to these witnesses, accused No.1 did not provide information regarding the source of the alleged counterfeit currency. Furthermore, in the disclosure panchanama recorded on 5 October 2024, accused No.1 did not implicate the present applicants; instead, he stated that he took the name of accused No.2 out of fear. Beyond the mere assertion that the alleged counterfeit currency notes were supplied by the applicants, there appears to be no cogent or independent material on record linking the applicants to the commission of the alleged crime. Moreover, no

incriminating material has been recovered from the applicants, and accused No.2 has been released on bail. The applicants have been languishing in jail since 3 October 2024. Despite the filing of the charge sheet, no charge has been framed to date. The prosecution seeks to examine as many as seventeen witnesses, and the trial is unlikely to conclude in the near future. The apprehensions raised by the prosecution about potential evidence tampering and witness influence can be addressed by imposing appropriate conditions.

8. Having considered the totality of the circumstances, including the absence of any direct material connecting the applicants with the commission of the offence, the stage of the proceedings, the applicants' continued incarceration, and the principle of parity, this Court is inclined to grant bail to the applicants. Hence, the following order:

ORDER

- (i) The applicants shall be released on bail in CR No.665 of 2024, registered at Yavat Police Station, Pune, upon executing a PR Bond of Rs.25,000/- each and furnishing one or more sureties in the like amount.
- (ii) The applicants, themselves or through any other person, shall not tamper with the

evidence or influence witnesses.

(iii) The applicants shall regularly attend and cooperate with the trial Court for the expeditious disposal of the case.

9. The application stands disposed of accordingly.

(R.N. Laddha, J.)