

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1687 OF 2025**

Suresh Vinayak Patil	...	Applicant
vs.		
State of Maharashtra	...	Respondent

Mr. Rameshwar N. Gite a/w. Mr. Sandesh S. Shinde for applicant.

Mr. Mayur S. Sonavane, APP for respondent-State.

CORAM : MANISH PITALE, J

DATE : 04th DECEMBER, 2025

P.C. :

1. Heard Mr. Gite, learned counsel appearing for the applicant and Mr. Sonavane, learned APP for respondent-State.

2. The applicant is one of the accused persons in the present case, who is apprehending arrest in connection with FIR No.0374 of 2024 dated 05.06.2024 registered with Ambad Police Station, District - Nashik City, for offences under Sections 406, 409, 420, 504 and 506 read with Section 34 of the Indian Penal Code, 1860 (IPC).

3. According to the informant, he saw an advertisement on the social medial platform facebook pertaining to Haak Marathi Urban Nidhi Limited, which is stated to be a small banking and mutual benefit society registered with the Ministry of Corporate Affairs, Government of India. When the informant reached out to the said entity on the basis of the advertisement, the accused No.1 Bhushan Suresh Wagh responded and stated that loan could be arranged for the informant without security, for which purpose, ₹ 7500/- would have to be paid towards processing charges. Accordingly, the

informant paid the aforesaid amount. Subsequently, the informant was lured into paying further amount of ₹ 10,000/- for expediting disbursal of loan.

4. Later, the informant came to know that no loan was being processed and that he had been duped. On further enquiries, he came to know that other such innocent persons were also duped.

5. The learned counsel for the applicant submits that despite the fact that this Court, on 02.08.2024, had rejected earlier anticipatory bail application bearing No.1973 of 2024 of this very applicant, upon chargesheet being filed, there is change in circumstance and the material that has come on record in the chargesheet, does not indicate any specific role or overt act on the part of the applicant. It is submitted that the applicant is about 70 years old, an agriculturist and being father-in-law of the main accused person, he was merely shown as a director in the said entity.

6. It is further submitted that the earlier anticipatory bail application was rejected on an impression that the applicant was the father of the main accused person, perhaps because of similarity of names. The father of the main accused person is Suresh Wagh, while the applicant is Suresh Patil. Even statement of one of the witnesses recorded in the said earlier order, simply states that she had given a specific amount of ₹ 30,000 to Suresh Wagh, who is the father of the main accused person. Even the statements of other witnesses do not show any specific role of the applicant in luring innocent investors.

7. On the other hand, the learned APP submitted that it is undisputed that the applicant is the director in the said entity. A

number of innocent investors were duped, totalling to an amount of ₹ 34 lakhs. The applicant has remained absconding and there is no change in circumstance from the point in time the earlier order was passed on 02.08.2024, rejecting Anticipatory Bail Application No.1973 of 2024. He submitted that while rejecting the subsequent bail application of the applicant, the Sessions Court also took into consideration the fact that there was no change in circumstance.

8. This Court has considered the rival submissions. As a matter of fact, there appears to be some confusion in the names, as the name of main accused person's father is Suresh Wagh and the name of the applicant is Suresh Patil. A perusal of the statement of witness, which was taken into account in the earlier order dated 02.08.2024, shows that she had referred to Suresh Wagh as the person, who had taken the amount of ₹ 30,000 from her, on the promise that disbursal of loan would be expedited. Perhaps the said observation was made in the said order, due to the specific submission made in paragraph No.5 of the order dated 02.08.2024 on behalf of the applicant that while the main accused person Bhushan Suresh Wagh was having 94% shareholding in the said entity, the applicant, being his father, had only 1% share. This factual aspect about mixing up of names, cannot be ignored.

9. Apart from this, this Court finds that filing of chargesheet brings on record statements of witnesses recorded during the course of investigation. The statements show that while some of the witnesses have indeed stated that the applicant is the director of the said entity and the said aspect is not denied, there is no specific allegation against the applicant and specific overt act is not attributed to him.

10. The applicant is about 70 years old, having no criminal antecedents and he is ready to co-operate with the investigation. In such circumstances, this Court is inclined to allow the present application.

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

- (i) In the event the applicant is arrested in connection with FIR No.0374 of 2024 dated 05.06.2024 registered at Ambad Police Station, District Nashik City, he shall be released on bail on furnishing PR Bond of ₹ 50,000/- (Rupees Fifty Thousand only) and one or two sureties in the like amount to the satisfaction of the trial Court;
- (ii) The applicant shall remain present before the Investigating Officer on 08.12.2025 and 09.12.2025 between 10:00 a.m. and 12:00 noon and thereafter, as and when called upon by the Investigating Officer;
- (iii) The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case;
- (iv) The applicant shall co-operate with the investigation and also in the proceedings before the trial court.

12. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

13. The application stands disposed of.

(MANISH PITALE, J.)