

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2363 OF 2025

Ashok Raghunath More ...Applicant
Age : 52 Yrs., Occ. : Service,
Residing at Nhavi Galli, Ganesh Chowk,
Sinnar, District-Nashik.

Versus

The State of Maharashtra ...Respondent
At the instance of Bhadrakali
Police Station, Nashik.

Mr. Nilesh Wable a/w Mr. Dilip B. Shinde, Mr. Mohan Kumbhar
i/by Mr. Vinay Chavan for Applicant.
Mr. C.D. Mali, APP for the State.
API, V.H. Pawar, Bhadrakali Police Station, Nashik, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 25th September 2025

P.C.:

1. Heard Mr. Nilesh Wable, learned Counsel appearing for the Applicant and Mr. C.D. Mali, learned APP for the State.
2. The Applicant is seeking Pre-arrest Bail in connection with C.R. No.125 of 2025 registered with Bhadrakali Police Station, Nashik City, Nashik registered under Section 316 (5) and 318 (4) of Bhartiya Nyay Sanhita, 2023 ("B.N.S.).

3. As per the prosecution case, during Covid pandemic, Maharashtra State Road Transport Corporation (“**MSRTC**”) has appointed a Committee of five persons for the purpose of transportation of goods and the said Committee continued functioning even after Covid pandemic period. During the period of 2023, 2024 and 2025, an aggregate amount of Rs.30,67,350/- has been mis-appropriated by the Applicant. The Applicant, who was the Conductor and Member of the said Committee, for transportation of goods for the period of 2023 to 2025 had accepted an aggregate amount of Rs.30,67,350/- from various private parties and transported the said goods and said amount has not been deposited with the MSRTC.

4. Mr. Mali, learned APP states that during investigation, it was found that the various amounts were received by the Applicant in cash, by Gpay and PhonePe from time to time and the Applicant has not deposited with the MSRTC said amounts. To substantiate said contention, Mr. Mali, learned APP relies on the Bank Statement of the Account of the Applicant and certain other material. It is the submission of Mr. Wable, learned Counsel that

from time to time, the scrutiny is made and the Applicant is merely Conductor of the S.T. Bus.

5. However, the material on record *prima facie* shows that the Applicant is involved in very serious crime as various amounts are deposited in the account of the Applicant and they have not been deposited with M.S.R.T.C. The MSRTC is the Undertaking of the State Government. Accordingly, the custodial interrogation is necessary.

6. The Supreme Court in the case of **Nikita Jagannath Shetty alias Nikita Vishwajeet Jadhav Vs. State of Maharashtra**¹ has held that the anticipatory bail is an exceptional remedy and ought not to be granted in a routine manner. There must exist strong reasons for extending indulgence of this extraordinary remedy to a person accused of grave offences. It has been further held that the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to

¹ (2025) SCC OnLine SC 1489

tampering or destruction of the evidence. The observations of the Supreme Court are squarely applicable to the present case.

7. Thus, no case is made out for grant of anticipatory bail. The Anticipatory Bail Application is rejected.

(MADHAV J. JAMDAR, J.)