

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

ANTICIPATORY BAIL APPLICATION NO. 2522 OF 2025

Kaustubh Bhamare

...Applicant

V/s.

The State of Maharashtra

...Respondent

**WITH
INTERIM APPLICATION NO. 3528 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO. 2522 OF 2025**

Sr. Adv. Mr. Sudeep Pasbola a/w Mr. Ramprasad Deore, Advocate for the Applicant.

Mr. P. H. Gaikwad, APP for the Respondent/State.

Mr. P. Waghmare a/w Mr. Mahesh Gupta, Advocate for Applicant in IA/3528 of 2025.

**CORAM : N.R. BORKAR, J.
DATE : 29.09.2025.**

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicant is apprehending his arrest in Crime No. 1299 of 2025 registered at Bandra Police Station, for the offences punishable under Sections 318(4), 319, 316(2), 336(2), 336(3), 338, 340, 61(2), 204 & 205 of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that the first informant is the Director of Novel Designer Display System Pvt. Ltd. ('NDDS')

for short) . The co-accused Gupta, who was associated with the said company as a labour consultant, contacted him on 20.03.2025 and called him at Taj Hotel, Bandra. There, the co-accused Gupta introduced the first informant to co-accused Ramesh Bansode, Balaji Pawar and Uddhav Bhamare, who were wearing identity cards of the Government of Maharashtra. During the said meeting, the first informant was informed about the proposal for the supply of 18,000 ICU beds to government hospitals, amounting to Rs.150 Crores. He was asked for quotation for beds and was explained that as per the Government Resolution, within 15 days 35% of the advance payment would be released. It is alleged that out of the said 35% advance payment, the first informant was asked to pay 33% in a cash as a commission to the Health Minister. The co-accused advised the first informant to maintain secrecy. Co-accused Balaji Pawar stated that 6 Crore cash was required to prepare the order. Subsequently, on 25.03.2025, co-accused Gupta invited the complainant to Samrat Hotel, Churchgate, where co-accused Ramesh Bansode, Balaji Pawar, Uddhav Bhamare and the present applicant were present. It is alleged that the present applicant was introduced to the first informant as IAS Officer and co-accused Bhamare's son. They told the first informant that the Health Minister had reviewed the website of NDDS and insisted on visiting the factory before issuing the order. The first informant was asked to prepare a sample bed for inspection. It is alleged that on 04.04.2025 the co-accused and the present applicant visited the manufacturing unit of the first informant and promised the favourable inspection

and technical report. On 06.04.2025, the co-accused Gupta met the first informant and his chartered accountant at Achija Restaurant, Ghatkopar, and instructed them to quote 100 crore with 35% commission for the Health Minister and other officials. The co-accused Gupta also told the first informant to arrange 35 crores in cash. On 07.05.2025 the co-accused Gupta visited the manufacturing unit and told the first informant that payment was required to clear the file at Mantralaya. When the first informant expressed difficulty in arranging cash, co-accused Pawar warned him that other companies were also in line for the order. On 28.04.2025 co-accused Gupta requested the quotation addressed to the Health Department Secretary. In the meanwhile the complainant raised Rs.6 Crores from friends, relative and associates. He made multiple payments i.e Rs.80 lakhs on 11.04.2025, 2.2 Crore 26.04.2025 and 2 Crore on 01.05.2025 to the co-accused and the present applicant. It is alleged that at that time the present applicant and other co-accused arrived in Innova Crysta Car bearing a Maharashtra Government Board. The co-accused warned the first informant against disclosing the payment threatening loss of the order. The applicant and other co-accused then told the first informant that the file was submitted to the Health Secretary and that a Government Resolution would be issued within 15 days. They advised the first informant to take loans to arrange further funds. On 26.05.2025 the co-accused Pawar called the first informant and told him that Government Resolution was finalized and could be delivered by co-accused Uddhav Bhamare. According to the first informant, later on the

same day co-accused Uddhav Bhamare handed over a pen drive containing the Government Resolution. On 13.06.2025, the co-accused Gupta again demanded more money which prompted the first informant to consult his legal adviser, who verified the Government Resolution online and found it to be fake. The first informant then realized that the present applicant and other co-accused defrauded him of Rs. 6 Crore.

4. I have heard the learned senior counsel for the applicant and the learned APP for the respondent-State

5. The learned senior counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that there are no allegations of demand by the present applicant nor it is alleged that he is the beneficiary of the alleged defrauded amount. The learned senior counsel for the applicant has drawn my attention to the WhatsApp group of which applicant, other co-accused and first informant were members. It is submitted that the said WhatsApp chats falsifies the claim of the first informant about handing over Government Resolution on 26.05.2025. It is submitted that the said WhatsApp chats will also show that the applicant was not the part of the alleged conspiracy. It is submitted that there is no need of custodial interrogation and the applicant is ready and willing to co-operate in the investigation.

6. On the other hand, the learned APP for the respondent-State submits that the applicant was all along present with the

other co-accused. It is submitted that the applicant was introduced as an IAS Officer to the first informant. It is further submitted that the applicant was present when the amount was paid. It is submitted that fake Government Resolution was prepared. It is submitted that considering the nature of crime the applicant may not be released on anticipatory bail.

7. I have perused the papers of investigation. It appears from the statements of the witnesses that the applicant was present with the other co-accused. He visited manufacturing unit of the first informant with other co-accused. He was also present at the time of handing over the amount to the co-accused. I have perused the WhatsApp chats. They do not suggest that the applicant was not part of the conspiracy. On the contrary they do show the involvement of the applicant in the crime in question. Considering the nature of crime, I am not inclined to release the applicant on anticipatory bail. The application is rejected.

8. Interim Application stands disposed of.

[N.R.BORKAR, J.]