IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1588 OF 2026

VILAS UDHAVRAO UDAVANT
VERSUS
THE STATE OF MAHARASHTRA

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Mr. Narendra D. Sonavane a/w Mr. Vinod B. Jadhav and Mr. Aniket Pawar, Advocates for Applicant
Mrs. Ashlesha S. Deshmukh, APP for Respondent - State

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CORAM : HITEN S. VENEGAVKAR, J.

DATED : 29th OCTOBER, 2026

PER COURT :

1. Heard.

2. The present application seeking regular bail in connection with Crime No.219 of 2025 registered with Beed City Police Station, Dist. Beed, for the offences punishable under Sections 318(4), 316(2), 341(4), 336(3) and 3(5) of Bharatiya Nyaya Sanhita (BNS).

3. Learned Advocate for the applicant submits that, the co-accused, who is also arraigned in the present FIR, had preferred an anticipatory bail application. The allegation against the said accused Kishor Bharde was that he was also a gold valuer of the bank to whom the subsequent valuation was referred. He had also given a valuation report similarly to that of the present applicant,

who was also a gold valuer. The only distinction between the present applicant and the accused Kishor Bharde is that the valuation of the gold was done prior in time by the present applicant while Kishor Bharde accused, had done the valuation after the present applicant. However, he submits that the accused Kishor Bharde had preferred an anticipatory Bail Application No. 2280 of 2025 in this Court and was granted anticipatory bail on 27.08.2026. This Court, while hearing the said anticipatory bail application, was pleased to make a specific query to the learned APP as to whether any notice was given to the applicant before re-verification of the gold ornaments. The Investigating Officer had given a written reply specifically stating that no such notice was given to the applicant. Even though such notice was not there, there has to be evidence to show that at least the presence of panch witnesses, record or sealed envelope containing the ornaments are open. The investigation papers do not indicate any such evidence. Having regard to the said fact, the Court was pleased to grant anticipatory bail to the accused Kishor Bharde. Relying upon the aforesaid observation, learned Advocate for the applicant has taken me through the entire record of the charge-sheet and submits that similar is the case of the present applicant. There were no panch witnesses or any sealed envelope containing the ornaments were ever open in front of the panch witnesses and

neither there is any re-verification panchanama. Learned Advocate for the applicant therefore submits that law of parity clearly applies to the present applicant as well. The investigation is complete and charge-sheet is already filed. Learned Advocate for the applicant thus prays that the continuous custody of the present applicant is unwarranted and hence he be released on bail.

4. Learned APP opposes the application by stating that accused Nos. 5, 6, 7, 8, 10 and 12 have been released on bail, whereas accused Nos. 2, 3, 4, 9 and 11 are absconding. Accused No. 8 was released after being served with a notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS). The present applicant was absconding from 05.11.2025 till the date of his arrest, i.e. 15.112025. Therefore, the question of conducting re-verification does not arise. Learned APP submitted that there is other material which prima facie shows that the applicant is involved in the offence of giving false valuation report. She prays that the application be dismissed.

5. Admittedly, the allegation against the present applicant is only pertaining to the issuance of valuation report. The applicant was a certified valuer of the Bank of Baroda along with the other gold valuers. The record indicates that the Kishor Bharde, on whose bail order the learned applicant stands on the similar

footing and as he has been released on anticipatory bail, I am of the opinion that, taking into consideration the total custody undergone by the applicant and the fact that the investigation is complete and charge-sheet is already filed, there is no necessity to continue the custody of the present applicant, during pendency of the trial. Hence, the following order :

ORDER

(i) The Bail Application is allowed.

(ii) The applicant, Vilas Udhavrao Udavant, shall be released on bail in Crime No.219 of 2025 registered with Beed City Police Station, Dist. Beed, for the offences punishable under Sections 318(4), 316(2), 341(4), 336(3) and 3(5) of Bharatiya Nyaya Sanhita (BNS), on furnishing a personal bond of Rs.1,00,000/- (Rupees One Lakh only) with one or two solvent surety in the like amount, subject to the following conditions :

a) The applicant shall attend the trial Court on every date fixed, unless his attendance is specifically exempted.

b) The applicant shall not, directly or indirectly, contact, threaten, induce or influence the informant or any prosecution witness and shall not tamper with the prosecution evidence.

c) The applicant shall furnish his current residential address and mobile number to the Investigating Officer

and the Trial Court within seven days of release, intimate any change forthwith, and attend the Investigating Officer upon prior written notice if further investigation is required.

d) The applicant shall not involve himself in any offence of a similar nature while on bail.

e) Breach of any of the above conditions shall entitle the prosecution to apply for cancellation of bail.

(iii) All observations in this order are prima facie and confined to the decision of this bail application. The Trial Court shall decide the case independently on the evidence led before it.

(iv) The Bail Application is disposed of in the above terms.

(HITEN S. VENEGAVKAR)
JUDGE

Tandale