IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1 BAIL APPLICATION NO. 1667 OF 2026

Jeevan Karyappa Bijjanda Alias B. K. Jeevan
*VERSUS*
The State Of Maharashtra
...
Mr. Barlota Ambar S., Advocate for the Applicant
Mr. S. V. Hange, APP for the Respondent-State

CORAM : HITEN S. VENEGAVKAR, J.
Dated : 5th October, 2026

PER COURT :-

1. Heard learned Advocate for the applicant and learned APP for the Respondent State.

2. The applicant is seeking regular bail in connection with the first information report bearing Crime No. 427 of 2024, registered with Jawahar Nagar Police Station, District Chh. Sambhajinagar (Rural) for the offences punishable under sections 316(2), 316(5), 318, 318(4), 336(2), 336(3), 338, 340(2), 61(2), 45, 3(5) of the Bhartiya Nyaya Sanhita and under Section 66(c) of the Information Technology Act. The applicant came to be arrested in connection with the present offence on 22.12.2024. Investigation is complete and charge-sheet has been filed. The prosecution alleges 9 accused persons to be involved in the present offence. Record indicates that out of 9 accused persons, 7 accused have already been released on bail.

3. The prosecution case, in brief, is that the informant, who is

serving as Sports Officer in the Department of Sport and Youth Services at Aurangabad, alleges that since 2022, his department has availed services of employees on contract basis from outsourcing agency M/s Disha Facilities Pvt. Ltd. for daily maintenance and management works. It is alleged that the original accused no.1 was appointed a Computer Operator and thereafter, in the year 2023, accused No.2, who happens to be the wife of the present applicant, was appointed as Accounts Clerk. Both of them were appointed through the outsourcing agency on contract basis for the daily official work, which is pertaining to clerical, accounts, administrative work etc. It is the case of the prosecution that in all 19 other employees were also appointed on the contract basis.

4. It is alleged by the prosecution that during the tenure from 04.06.2024 to 07.12.2024, accused No.1 and accused no.2 had fabricated the E-mail ID access of the Informant's office by forging letter of Superior and thereby transferred an amount of Rs.21,59,38,287/- in their accounts from the account of the department and thereafter the said amount came to be transferred in the account of different persons. The applicant is alleged to have been one of the said beneficiaries whose accounts have been used for making a transfer of almost about Rs. 1,99,00,000/-.

5. Investigation of the prosecution has led that the amount has been received by the present applicant, which thereafter has been utilized by him for purchase of several properties. As he was found to

be beneficiary of the amount and also one of the accomplice of accused nos. 1 and 2, he came to be arrested by the Investigating Agency.

6. The learned Advocate for the applicant submits that the applicant has been falsely implicated in the entire offence. He submits that his wife was working in the department and there are allegations that accused no.2, in connivance with accused no.1, have siphoned off the monies of the department and thereafter transferred the same in different accounts. His account was also misused and therefore, he cannot be said to be party to the offence. He submits that apart from merits, the entire allegations of the prosecution is that the applicant is in receipt of Rs.1,99,00,000/- of the proceeds of crime, out of which, by way of different forms and modes, almost Rs. 1,50,00,000/- have been recovered by the prosecution form his bank accounts, gold ornaments and movable and immovable properties. Taking into consideration that 7 accused persons have already been released on bail and that the present applicant is lingering in custody since 22.12.2024, charge-sheet is filed and the investigation is complete, the applicant deserves to be released on bail.

7. Per contra, the learned APP argues that the role of the applicant is pertinent on the face of the record which shows that he has received the amount of Rs.1.99,00,000/- in his bank account. Subsequent indulgence of the applicant in utilizing the said proceeds of crime, in purchasing properties for himself and enjoying the illegal funds in itself is sufficient to infer that the applicant is involved in the

present offence. He also argues that the wife of the applicant was working in the department and therefore, in connivance with her, the accused have obtained this illegal proceeds of crime in his account and thus, have used it for his personal consumption. He submits that the release of Accused No. 2 on bail is not of much significance, as she was enlarged on bail primarily on account of the fact that she is a woman. He argues that the present applicant's movable and immovable properties are seized and from that, it cannot be said that the entire recovery has taken place. Even in another way, he argues that the amount Rs. 50 lakhs is yet to be recovered from the applicant as the entire work of the recovery is only to the tune of Rs.1,45,00,000/-. He submits that this application be rejected and the trial be expedited.

8. I have perused the entire charge-sheet with the assistance of both the learned counsel and have also perused the orders passed by this Court while granting bail to the other co-accused persons.

9. It is not in dispute that the present applicant has received the proceeds of crime in his account and prima facie, it appears that the account of the present applicant was used in the present offence. The investigation is completed and the record indicates that the properties worth Rs.1,45,00,000/- has already been secured by the prosecution. Though it is correct to say that the worth of the properties is tentative, the fact remains that a substantial part of the proceeds of crime alleged against the present applicant has been traced and seized by the prosecution. Considering further that the applicant has been in custody

since 22.12.2024 and that the investigation pertaining to the present applicant is complete, I do not find any reason why the custody of the present applicant should be continued. Hence, the following order:

**ORDER**

(i) Bail Application No. 1667 of 2026 is allowed.

(ii) Applicant- Jeevan Karyappa Bijjanda Alias B. K. Jeevanshall be released on bail in Crime No. 427 of 2024, registered with Jawahar Nagar Police Station, District Chh. Sambhajinagar (Rural) for the offences punishable under sections 316(2), 316(5), 318, 318(4), 336(2), 336(3), 338, 340(2), 61(2), 45, 3(5) of the Bhartiya Nyaya Sanhita and under Section 66(c) of the Information Technology Act on executing P.R. Bond of Rs.50,000/- (Fifty Thousand only) with one or two solvent sureties in the like amount.

(iii) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

**(HITEN S. VENEGAVKAR, J.)**

JPChavan