**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 529 OF 2025

Anita Bhushan Patil
VERSUS
The State Of Maharashtra
...

- Mr. R. N. Dhorde, Senior Advocate i/b. Mr. V. R. Dhorde, Advocate for Applicant
- Mr. P. D. Patil, APP for Respondent - State
- Ms. Neha Udwant, Advocate h/f. Mr. S. J. Salunke, Advocate for Assist to PP

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**WITH
CRIMINAL APPLICATION NO. 2651 OF 2025
IN ABA/529/2025**
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CORAM : MEHROZ K. PATHAN, J.

DATED : 23.03.2026

PER COURT :

1. Heard learned Senior Counsel for the applicant, learned APP for the respondent–State, as also learned counsel assisting the prosecution.

2. The applicant has approached this Court apprehending arrest in connection with FIR No. 0015 of 2024 dated 10.01.2024, registered with City Chowk Police Station, District Chhatrapati Sambhajinagar, for the offences punishable under Sections 120-B, 406, 420 read with Section 34 of the Indian Penal Code.

3. Learned Senior Counsel for the applicant submits that the applicant has been wrongly implicated in the present crime. It is submitted that the applicant's husband, namely Bhushan Patil, had requested the informant to invest capital in his company, namely M/s. Nirman Gold Alloys Pvt. Ltd., on the assurance that shares of the company would be transferred to the informant and that he would be appointed as a Director. It is submitted that all the allegations in the FIR are primarily attributed to the husband of the applicant. The applicant has been arrayed as an accused only on the ground that she is shown as a Director of Nirman Gold Plastic Limited.

4. It is further submitted that this Court, by order dated 22.04.2025, granted interim protection to the applicant after recording a prima facie observation that, upon perusal of the FIR, the involvement appears to be of the husband of the applicant and there is no material on record to indicate that the present applicant is prima facie involved in any part of the transaction or that she actively participated in deceiving the informant.

5. Learned APP, assisted by the learned counsel for the prosecution, vehemently opposes the application. It is submitted that the applicant is actively involved in the alleged offence and that sufficient material has been collected during the course of investigation indicating her complicity. It is further submitted that, if released on anticipatory bail, the applicant may tamper with the prosecution evidence and influence the witnesses. It is also contended that the economic nature of the offence and the magnitude of the amount involved require a cautious approach. Hence, it is prayed that the application be rejected.

6. I have gone through the interim orders dated 08.04.2025 and 22.04.2025. I have also perused the FIR as well as the arbitral award passed by the Arbitrator appointed by the Bank. The perusal of the FIR prima facie indicates that the allegations of inducement are primarily against the husband of the applicant.

7. The arbitral award reveals that, though the applicant was arrayed as one of the opponents in the arbitration proceedings, no liability has been fastened upon her, whereas the other accused persons have been held jointly and severally liable to pay an amount of approximately Rs. 34 crores to the Bank. The present informant, Sunil Somwanshi, also appears to be one of the parties to the said arbitration proceedings.

8. The co-accused, Sanjay Mandhana, who has also been held liable under the arbitral award, has already been granted anticipatory bail by this Court by order dated 12.03.2024 in Anticipatory Bail Application No. 228 of 2024.

9. The applicant, having been protected by interim orders passed by this Court, has attended the Investigating Officer and has cooperated with the investigation. The prosecution has filed a charge-sheet in the crime and the case is now registered as RCC No. 2875 of 2025, dated 03.10.2025. From the perusal of the investigation papers, which is now culminated into filing of the charge-sheet, it appears that the custodial interrogation of the applicant is no more necessary. The apprehensions of the learned APP and the learned assisting counsel that if the applicant is released on bail, he may tamper with the evidence can be taken care of by imposing certain conditions.

10. Thus, taking into consideration the nature of the allegations against the present applicant, the prima facie observations made by this Court in earlier orders, and the fact that the co-accused, Sanjay Mandhana, has been granted anticipatory bail by this Court by order dated 12.03.2024 in Anticipatory Bail Application No. 228 of 2024, I am inclined to protect the present applicant by exercising powers under Section 482 of BNSS.

11. Hence, the following order :-

<u>O R D E R</u>

i. The Anticipatory Bail Application is allowed.

ii. The interim order dated 08.04.2025 is hereby confirmed, subject to the following further conditions:

A) The applicant shall attend each and every date of the trial, unless exempted by the Trial Court for valid reasons.

B) The Applicant shall also cooperate with the investigation.

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

D) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.

12. Needless to state that a single violation of any of the aforesaid conditions shall entitle the prosecution to seek cancellation of the anticipatory bail granted herein.

13. The observations made herein are prima facie and shall not influence the Trial Court while deciding the case on its own merits.

14. In view of the above, the Anticipatory Bail Application stands disposed of.

15. Criminal Application No. 2651 of 2025 for assisting the prosecution also stands disposed of.

(MEHROZ K. PATHAN, J.)