



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

BAIL APPLICATION NO. 2327 OF 2025

SANJAY GANGADHAR DEVKAR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Gajanan G. Kadam
APP for Respondent : Ms. R. R. Tandale
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 10-02-2026

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.0196 of 2025 dated 05.07.2025 registered with Dharmabad Police Station, District Nanded, for the offences punishable under Sections 318(4), 316(2), 316(5), 351(3), 3(5) of the *Bharatiya Nyaya Sanhita, 2023*. In the said crime, the applicant is arrested on 06.07.2025.

2. The prosecution case is that in between July 2022 and January 2025, the complainant and several other farmers sold their agricultural yields, including soyabean, chickpea (Harbhara) and pigeon pea (Tur) to the accused No.1's trading entity "Shri Krishna Bhusar" situated at Mondha road, Dharmabad, which was managed by co-accused/his family members and associates. The applicant is nephew of accused No.1. It is alleged that accused

induced the complainant and other farmers to sell their agricultural goods by promising a rate higher than the prevailing market price and assuring prompt payment. The complainant sold farm produce to the said shop. After initial transaction, accused allegedly failed to make full payment of sale consideration thereby caused a loss of Rs.5,11,750/- to the complainant and alleged cumulative loss of Rs.2,27,28,577/- to other farmers. Hence, the report is lodged.

3. The learned counsel for the applicant submits that the applicant has been falsely implicated solely due to his familial relationship with Accused No. 1, without any substantive evidence linking him to the ownership, management, or financial affairs of "Shri Krishna Bhusar." It is contended that the allegations are omnibus and general in nature, failing to attribute any specific overt act. In the absence of evidence demonstrating participation in day-to-day operations or dishonest intent, further citing an unexplained delay in lodging the report and prayed for the application to be allowed.

4. Learned A.P.P. has opposed the application, emphasizing the gravity of the offense and the substantial financial implication involving over Rs. 7 Crores. It is submitted that considering the scale of the fraud, there is a legitimate apprehension of tampering with prosecution evidence and influencing witnesses. The APP

further expressed the apprehension that if the applicant is released on bail, there is a possibility of him fleeing away.

5. Having heard the respective counsel for both the sides and upon perusal of record including chargesheet, *prima facie*, it is evident that the applicant's name does not feature in the primary ownership or management structure of "Shri Krishna Bhusar." The accusations leveled against the applicant appear to be omnibus in nature, failing to demonstrate any specific overt act of inducing farmers. *Prima facie*, there is a lack of substantive material to show that the applicant participated in the operations of the trading entity.

6. Furthermore, it appears that the only role attributed against the applicant is of beating the injured with stick. Those are general in nature. The applicant is similarly situated to that of accused No.4, who is already enlarged on bail by the trial Court. Thus, the applicant is entitled for parity.

7. Considering that the investigation is complete and the chargesheet has been filed, the applicant's custodial presence is no longer necessary for the purpose of discovery or interrogation. As far as the apprehension expressed by the learned A.P.P. is concerned, the same can be adequately taken care of by imposing stringent conditions.

8. Hence, the order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicant, Sanjay Gangadhar Devkar, be released on bail, on furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No.0196 of 2025 dated 05.07.2025 registered with Dharmabad Police Station, District Nanded, for the offences punishable under Sections 318(4), 316(2), 316(5), 351(3), 3(5) of the *Bharatiya Nyaya Sanhita, 2023*, on the following conditions :-
 - (a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
 - (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.
 - (c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iii) Needless to state that the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

[SACHIN S. DESHMUKH]
JUDGE