IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 31 OF 2026

Santosh Shamrao Rathod
VERSUS
The State Of Maharashtra And Another

Mr. A. B. Ghule, Advocate for applicant
Ms. P. J. Bharad, APP for respondent-State

CORAM : R. M. JOSHI, J.
DATE : 12th JUNE, 2026

PER COURT :-

1. Applicant seeks anticipatory bail in connection with Crime No. 0820 of 2023 registered with Ambad Police Station, Dist. Jalna, for the offences punishable under Section 420, 406 read with Section 34 of the Indian Penal Code and under Section 3, 4 and 5 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999.

2. In short, it is case of prosecution that the informant deposited a sum of Rs. 66,00,000/- with Jeevandeep Urban Multipurpose Ltd. Georai. First Information Report indicates that the informant approached co-accused Sandesh Pawar and Nitesh Pawar. There is allegation with regard to the handing over the said amount to them. It is case that in spite of the payment of said money, fixed deposit receipts are not given to him and by non payment of amounts he being

cheated.

3. Learned counsel for applicant submits that the applicant has not being named in the First Information Report. According to him he is sought to be involved in this crime solely for the reason that he is one of the Director of the Society. It is his submission that the report of the police indicates that the co-accused Nitesh was the only signatory to the bank accounts and no amount could be said to have been withdrawn by the said applicant. He therefore, seeks confirmation of the interim relief.

4. Learned APP opposes the application by citing seriousness of the crime. It is claim that amount has been misappropriated herein and applicant being one of the director of the society is responsible for the same. It is also sought to be argued that the present applicant in collusion with co-accused has withdrawn money.

5. Perusal of the record indicates that the applicant is not a person who has induced the informant to deposit any amount with the aforesaid. It is not a case of prosecution that the money is handed over to the present applicant. Report submitted by the Investigating Agency indicates that the applicant had no authority to operate bank accounts and as such, it cannot be said that applicant has withdrawn any money and is beneficiary of crime. *Prima facie*, there is no material on record to show that applicant was involved in the decision making of the society or

the recipient of the crime money. Applicant has no criminal history behind him. Hence, liberty of the applicant is protected. Hence, the order :-

ORDER

(i) Application is allowed.

(ii) In the event of arrest of applicant in connection with Crime No. 0820 of 2023 registered with Ambad Police Station, Dist. Jalna, for the offences punishable under Section 420, 406 read with Section 34 of the Indian Penal Code and under Sections 3, 4 and 5 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999. Applicant - Santosh Shamrao Rathod shall be released on bail on furnishing PR Bond of Rs.30,000/- (Rupees Thirty Thousand only) with one solvent surety in the like amount.

(iii) He shall attend the concerned police station as and when called by the Investigating Officer with written intimation.

(iv) He shall not contact the witnesses directly or indirectly.

(v) He shall not interfere with the evidence in any manner whatsoever.

(vi) He further directed to cooperate the investigating agency for further investigation.

6. Learned APP for the Respondent/State to communicate this order to the concerned Police Station.

(R. M. JOSHI, J.)

B. S. Joshi