



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

939 ANTICIPATORY BAIL APPLICATION NO.92 OF 2026

SACHIN RAMNIVAS VARMA

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr.A.D.Ostwal
APP for Respondent-State : Mr.A.A.A.Khan

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CORAM : MEHROZ K. PATHAN, J.

DATE : 17.02.2026

P.C. :

1] Heard the learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant has approached this Court apprehending arrest in connection with Crime No. 0139/2024, dated 01.07.2024, registered with Beed City Police Station, District Beed / Cyber Police Station, Beed, for the offence punishable under Section 420, 465, 467, 468, 471, 409 r/w. 34 of the IPC, 1860 and 66 (D) of the Information Technology Act, 2000.

3] At the outset the learned APP vehemently opposes the present application on the ground that the present application is successive bail application and the same is not maintainable as this Court has rejected his earlier application i.e. Anticipatory Bail Application No.223 of 2025, vide order dated 27th February, 2025, before filing of the charge sheet. The applicant has, thereafter, again filed another Anticipatory Bail Application No.1658/2025 and the same came to be withdrawn by the applicant, vide order dated 30th September, 2025. The learned APP, therefore, submits that the applicant has failed to show any change of circumstance, as such, successive application may not be maintainable once his earlier Application was rejected by this Court.

4] The learned counsel for the applicant submits that earlier both applications i.e. ABA No.223/2025 and ABA No.1658/2025 were filed by the applicant before filing of the charge sheet. After filing of the charge sheet by the prosecution against arrested accused persons, the present

applicant has approached the learned Sessions Court for seeking anticipatory bail by filing Criminal Bail Application No.1017/2025 and the same was rejected by the learned Additional Sessions Judge, Beed, vide order dated 17.10.2025. Therefore, the applicant is approaching this Court, for the first time, after filing of the charge sheet against the other co-accused. The evidence collected by the prosecution as reflected in the charge sheet has supplied new grounds to be raised by applicant, which amounts to change of circumstance and hence the present application is maintainable.

5] The learned counsel for the applicant further submits that the applicant is not having any antecedents and the applicant is ready to abide by any conditions that may be imposed by this Court. The applicant is further seeking principle of parity inasmuch as two identically situated accused persons i.e. Rohit Arjunrao Madke and Arbaaz Firoz Pathan were already granted anticipatory bail by this Court, vide orders dated 22.01.2025 and 20.01.2025

respectively, considering the fact that both the accused, namely, Rohit Madke and Arbaaz Pathan have immediately transferred back the amount in the account of the main accused Gopal Lokhande after receiving the same. The applicant also stands on the same footing as the applicant had also transferred back the amount of Rs.10 lacs immediately on the same day i.e. on 12.06.2024 as well as transferred back the amount of Rs.5 lacs on 13.06.2024 in the account of main accused Gopal Lokhande. The applicant is ready to deposit Rs. 5 lacs to show his *bona fides*. Hence, the applicant may be released on anticipatory bail.

6] As against this, the learned APP vehemently opposes the present application on the ground that the huge amount of Rs.16,21,052/- has been transferred from the account maintained by the State Government for disbursement of the funds to the beneficiaries of various Government schemes. The said amount was transferred in the account of the present applicant, however, the applicant had transferred back the amount of Rs.10 lacs in the

account of Gopal Lokhande and not in the account of the State Government. The amount of Rs.5 lacs is returned back on the next date i.e. on 13.06.2024. Thus, there is difference on the facts of the present case as compared to the facts of the case of Rohit Madke, who is released on anticipatory bail by this Court. Thus, taking into consideration gravity of the offence, which is economic in nature and complex investigation involved in the present crime, the custodial interrogation of the applicant is necessary. Hence, the application of the present applicant may be rejected.

7] I have gone through the investigation papers, which has now culminated into filing of the charge sheet against the arrested accused persons. The perusal of the investigation papers would show that the investigation is almost complete. The main accused, namely, Gopal Lokhande was already arrested. The co-accused, namely, Rohit Arjunrao Madke and Arbaaz Firoz Pathan were already granted anticipatory bail by this Court, vide orders

dated 22.01.2025 and 20.01.2025 respectively. The order dated 20.01.2025 passed by this Court in ABA No.1786/2024 in the case Arbaaz Firoz Pathan would show that one of the considerations for releasing co-accused, namely, Arbaaz on anticipatory bail was that the amount deposited in his account was immediately transferred by Arbaaz to the account of the main accused, namely, Gopal Lokhande. The order dated 19.11.2024, granting interim protection in favour of the Arbaaz also considers the fact that the amount was immediately transferred by the accused Arbaaz in the account of the Gopal Lokhande. The order dated 22.01.2025, granting anticipatory bail in favour of the Rohit Madke also considers the fact that accused Rohit has immediately transferred back the amount. Perusal of the bank statements of the present applicant shows that the amount of Rs.16,21,052/- was deposited in bulk from the Government account in the account of the present applicant on 12th June, 2024 and the applicant has also transferred back the amount of Rs.10 lacs immediately on 12.06.2024 and Rs.5 lacs on 13.06.2024 in the account

of Gopal Lokhande [arrested main accused]. Thus, applying principle of parity, the applicant can be released on anticipatory bail, particularly when the applicant himself has offered to show his *bona fide* by depositing an amount of Rs.5 lacs with the trial Court. The apprehensions of the learned APP that the applicant, if released on anticipatory bail, may flee away from the ends of justice and thereby cause prejudice to the prosecution case, can be taken care of by imposing stringent conditions upon the applicant while releasing on anticipatory bail. Hence, I am inclined to entertain the present successive bail application by applying the principle of parity in exercise of powers under Section 482 of the BNSS. Hence the following order :

ORDER

I] In the event of arrest of the applicant, he be released on furnishing P.R. bond of Rs.50,000/- [Rs. Fifty Thousand], with two solvent sureties in the like amount, in connection with Crime No. 0139/2024, dated 01.07.2024, registered with Beed City Police Station, District Beed / Cyber Police

Station, Beed, for the offence punishable under Section 420, 465, 467, 468, 471, 409 r/w. 34 of the IPC, 1860 and 66 (D) of the Information Technology Act, 2000, on the following conditions :

A] The applicant is directed to attend the concerned police station and report to the Investigating Officer on 24.02.2026, 25.02.2026, 28.02.2026, 02.03.2026, 07.03.2026 and 09.03.2026 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called by the Investigating Officer.

B] The applicant shall also co-operate 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 deposit an amount of Rs.5 lacs with the trial Court within a period of 10 days from the date of passing of the order.

8] Needless to say, violation of any of the aforesaid conditions shall entitle the prosecution to seek cancellation of the anticipatory bail.

9] The observations made herein above are *prima facie* in nature and shall not influence the Trial Court while deciding the case on its own merits.

10] The Anticipatory Bail Application is disposed of accordingly.

[MEHROZ K. PATHAN]
JUDGE

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