



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

ANTICIPATORY BAIL APPLICATION NO. 483 OF 2026

SAGAR SHIVAJI KOLHE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Gaikwad Anil M.

APP for Respondents/State : Mr. S. A. Gaikwad

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CORAM : MEHROZ K. PATHAN, J.

DATE : 8th APRIL 2026

PER COURT :

1. Heard the learned Counsel Mr. Anil Gaikwad for the Applicant, and the learned APP Mr. Gaikwad for the Respondent/State.
2. The Applicant has approached this Court, seeking anticipatory bail application in connection with Crime No. 124/2026 registered with Kotwali Police Station, District Ahilyanagar for the offences punishable under Sections 316(2) and 318(4) of the Bhartiya Nyaya Sanhita, 2023.
3. The case of the prosecution is that the Applicant was appointed as a Pharmacist in Sai Medical, Khamkar Hospital, Ahilyanagar. It is alleged that during the period from 01.04.2024 to 08.07.2025 the Applicant cheated the hospital by editing bills of the patients. The Applicant used to reduce the bill amount after payment.

During this period the Applicant has cheated to the tune of Rs.41,13,380/-. Accordingly, informant Rajendra Mundalik lodged report on 16.02.2026 basing on which aforesaid crime came to be registered.

4. The learned Counsel for the Applicant submits that the Applicant is falsely implicated in the present crime. The FIR is lodged after a period of two years. The Applicant has made representation to Police Inspector, Kotawali Police Station, alleging that the Complainant is preparing forged bills with an intention to cheat the Income Tax Department and the Sales Tax Department. The Applicant is roped in the present crime only due to the dispute between the owner of the medical and the Applicant who was the erstwhile employer of said medical pharmacy namely Sai Medical Store. The entire evidence is documentary in nature and the custodial interrogation of the Applicant is not necessary. The Applicant is not having any criminal antecedents and is further ready to abide by any conditions that may be imposed by this Court. Hence the Applicant may be protected.

5. As against this, the learned APP strongly opposes the present application on the ground that the Applicant is involved in serious offences of forgery, cheating, and criminal breach of trust. It is alleged that there are documents on record showing that the Applicant prepared bogus bills to cheat the Complainant, who is the owner of a pharmacy, and thereby committed criminal

misappropriation of approximately Rs. 41 Lakhs over the period from 01.04.2024 to 08.07.2025. Thus the custodial interrogation of the Applicant is necessary and the application may be rejected.

6. I have gone through the investigation papers made available by the learned APP. A perusal of the investigation papers shows that the entire investigation is almost complete. The fake bills as well as the original bills are already in the custody of the Investigating Officer. There remains nothing to be recovered at the instance of the present Applicant. The submission of the Applicant that the Applicant is falsely implicated in the present crime because of the complaint made to the Police Inspector against the Complainant owner of the medical store, cannot be ruled out. However these are prima facie observations made for the purpose of deciding the present application and the necessity of the custodial interrogation of the Applicant in the present crime and the same may not influence the trial Court. Taking into consideration the nature of the allegation, I am inclined to protect Applicant in exercise of powers under Section 482 BNSS. Hence, the following order:

ORDER

(i) In the event of arrest of the Applicant - Sagar Shivaji Kolhe in connection with Crime No. 124/2026 registered with Kotwali Police Station, District Ahilyanagar for the offences punishable under Sections 316(2) and 318(4) of the Bhartiya Nyaya Sanhita, 2023, he be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousands) with two solvent sureties in the like amount, on the following conditions :

- (ii) The Applicant is directed to attend Kotwali Police Station, District Ahilyanagar on 15th, 16th, 22nd, 23rd, 29th, and 30th April of 2026 between 11:00 am. to 01:00 pm. and co-operate with the Investigating Officer till filing of the charge-sheet.
- (iii) The Applicant shall hand over the mobile phone and necessary documents to the Investigating Officer.
- (iv) The Applicant is directed not to tamper with the evidence and shall not threaten the complainant or the witnesses. The Applicant is directed not to tamper with the evidence and shall not threaten the complainant or the witnesses.
- (v) The Applicant shall attend the trial on each and every date unless so exempted by the trial on emergency conditions.
- (vi) The Applicant shall submit his Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of himself and two of the near relatives.
- (vii) Failure on the part of the Applicant to comply with the conditions imposed by this Court, would entitle the prosecution to seek cancellation of bail of the Applicant on that ground.
- (viii) With the aforesaid directions, the application is disposed of.

MEHROZ K. PATHAN
JUDGE