

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 65 OF 2026**

Jeevan Khandjode
VERSUS
The State of Maharashtra

Mr. Yash Fadtare a/w Mr. Vaibhav H. a/w Mr. Sairaj Suryawanshi
Advocate for Applicant.

Mr. Anand Subhash Shalgaonkar, APP for the Respondent-State.

**CORAM : SACHIN S. DESHMUKH, J.
DATE : 16th MARCH, 2026.**

P. C. :

1. The applicant seeks regular bail in connection with C.R. No. 379 of 2022 dated 01.12.2022 registered with Chiplun Police Station, District Ratnagiri for the offences punishable under Sections 406, 409, 420 r/w 34 of the Indian Penal Code, 1860 and Sections 65 and 66 of the Information Technology Act, 2000.

2. The prosecution case is that the complainant, while going through the record of the PWD Office, Chiplun, noticed a discrepancy in the amounts reflected under Deposit Head Part - II and Part-V. Accordingly, made correspondence with the then Executive Engineer. Thereafter, the Superintending Engineer, Mr.

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Navale, informed the complainant that the amount from the aforesaid Heads had been debited by using the login ID and password of the said office. Upon inquiries with the staff of the PWD Office, Chiplun, the complainant came to know that the said bills were not issued through the said office. The complainant also noticed correspondence made by the then Executive Engineer with other departments in that regard.

It is further alleged that the complainant informed the said facts to the Executive Engineer, Ratnagiri. With the permission of the Executive Engineer, Ratnagiri, the complainant appointed an auditor for the purpose of conducting an audit. During the audit, it transpired that during the period 28.10.2020 to 13.09.2022, a huge amount of Rs.4,08,53,225/- had been illegally transferred through the PWD Office to the bank accounts of six persons who had not been awarded any contract by the PWD. The said bank account holders were Rupali Kasekar, Rajnish Takle, Priyanka Pawar, Gurudatta Majur Sanstha Kurval, Sandeep Amburle and Praveen Bhise.

It is further alleged that some unknown staff used the BEAMS computer system with the help of the user ID and password

of the office and cheated the Government of the aforesaid amount. Accordingly, the complaint came to be lodged.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged crime and that the provisions of the offences levelled against him are not attracted. It is further submitted that the applicant was working as a peon in the said office having no nexus with the alleged crime. It is also submitted that the co-accused, i.e., Accused Nos. 2 to 6, have been admitted to bail by the Trial Court. Moreover, Accused No.1 has been released on bail by this Court vide order dated 5th April, 2024 in Bail Application No. 929 of 2024. The investigation is complete and the charge-sheet has been filed, the further custody of the applicant is not warranted.

4. Per contra, the learned A.P.P. opposed the application, submitting that the applicant is involved in the misappropriation of Government funds amounting to Rs.4,08,53,225/-. It is further submitted that if the applicant is released on bail, there is a possibility of influencing the prosecution witnesses and evading the trial.

5. Having heard the submissions from both sides and upon

perusal of the material on record, including the charge-sheet, it appears that the arrest was effected on 03.12.2022 and has been in custody since then. In the meantime, the other co-accused have been admitted to bail by the Trial Court. Moreover, the accused No.1 has been enlarged on bail by this Court.

6. Furthermore, the necessary recovery has been effected by the Investigating Agency and the charge-sheet has been filed. All the offences levelled against the applicant are triable by the Magistrate and has undergone a considerable length of incarceration. Given that the co-accused have been released on bail, the further custody of the applicant may amount to pre-trial detention, which is neither warranted nor justified.

7. In view of the aforesaid discussion, I am inclined to exercise discretion in favour of the applicant. So far as the apprehension expressed by the learned A.P.P. regarding influencing the prosecution witnesses is concerned, the same can be adequately taken care of by imposing stringent conditions. Hence, the following order:

ORDER

I. The bail application is allowed.

II. Applicant, Jeevan Khandjode, be released on bail, on furnishing P.R. bond in the sum of Rs.2,00,000/- (Rs.Two Lakh) with one or two local solvent sureties, in the like amount, in connection with C.R. No. 379 of 2022 dated 01.12.2022 registered with Chiplun Police Station, District Ratnagiri for the offences punishable under Sections 406, 409, 420 r/w 34 of the Indian Penal Code, 1860 and Sections 65 and 66 of the Information Technology Act, 2000, 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.

(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 the Trial Court seeking cancellation of bail.

8. 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, J.]