HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1251 OF 2026

Vinay Shivaji Kamble .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Ms. Prajakta N. Deshmukh a/w. Mr. Akshay More, Advocates for Applicant.
- Ms. Anuja S. Gotad, APP for Respondent.
- API – Sandip Ingale, EOW, Navi Mumbai.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 12, 2026

P.C.:

1. Heard Ms. Deshmukh, learned Advocate for Applicant and Ms. Gotad, learned APP for Respondent.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking Bail in connection with C.R. No.21 of 2025 registered with Kharghar Police Station for offences punishable under Sections 318(4), 316(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 3 of the Maharashtra Protection of Interest of Depositors Act, 1999.

3. On 05.10.2026, after hearing the learned Advocate for Applicant following order was passed:-

> *"1. The Applicant is indicted in the present crime on the prosecution case that he was the owner/director of the Company and handling the day to day affairs of the Company which sought*

inducement of investors to deposit monies under the alleged profit scheme promoted by the Company. Prima facie material shows that the Accused No. 4 was the sole proprietor of the Company and most importantly, the role attributed to the Applicant is that he lured investors to deposit amounts for higher returns in the said Company. A total outlay of Rs.2.49/- Crores is the amount projected by the prosecution as received by accused persons out of which even according to the prosecution case, amount of Rs.74,00,000/- was transferred to the account of Accused No.2, whereas an amount of Rs.1.1/- Crores was transferred to the account of Accused No. 3. Learned Advocate has vehemently submitted that the Applicant is not beneficiary of a single rupee though the prosecution case only alleges that he induced investors to deposit into the profit scheme promoted by the Company which was run by his brother namely Accused No. 4. The prosecution shall file its Affidavit-in-reply to explain the precise role of the Applicant and whether Applicant is a beneficiary or not. Learned Advocate for the Applicant informs Court that amount of Rs.10,00,000/- lying in the bank account of Applicant's mother has been attached by the prosecution. Appropriate Affidavit be filed by the prosecution explaining Applicant's role and whether he received any amounts in his bank accounts.

*2. Stand over to **12.10.2026**, First On Board under the caption"Part-Heard"."*

4. In compliance of the aforesaid order, Affidavit dated 07.10.2026 is filed. On perusal of the same, it is seen that Applicant was not beneficiary of any of the amount in the project called Aqua Global Marine Culture.

5. Principal Accused is Accused No.4 in the present crime. In that view of the matter and considering the role attributed to Applicant, it is *prima facie* that since he not a beneficiary at all as per prosecution's own Affidavit, I am inclined to accept the case of Applicant for grant of bail.

6. Considering the aforesaid, Applicant has made out case for grant of bail subject to following conditions:-

(i) Applicant is directed to be immediately released from prison in connection with Crime No. 21 of 2025;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) with one or two surety / sureties of the like amount;

(iii) Applicant shall report to the Investigating Officer at the concerned Police Station, once every month on the first Monday of the month between 10:00 a.m. to 12:00 p.m.;

(iv) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted and will not take any unnecessary adjournments, if he does so it will entitle the prosecution to apply for revocation of this order;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current address and mobile contact number and / or change of residence or mobile details, if any, from time to time, as applicable; and

(viii) Any infraction of the conditions shall entail cancellation of bail granted to the Applicant.

7. It is clarified that the observations made in this order are limited for the purpose of granting Bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

8. Bail Application is allowed and disposed of in the above terms.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA HANUMANT SAWANT

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