Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3279 OF 2026

Sudhakar Ishwar Solanki .. Applicant

Versus

The State of Maharashtra and Anr. .. Respondents

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- Mr. Rajesh More, Advocate for Applicant.
- Mr. Sukanta A. Karmakar, APP for Respondent – State.
- Ms. Ekta Patil, Advocate for Respondent No.2.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 12, 2026

P.C.:

1. Heard Mr. More, learned Advocate for Applicant; Mr. Karmakar, learned APP for Respondent – State and Ms. Patil, learned Advocate for Respondent No.2.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail in connection with C.R. No.122 of 2026 registered with Baramati Taluka Police Station for offences punishable under Sections 318(4), 316(2), 337, 338, 336(3), 340(2), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. There are eight accused persons in the present crime. The principal main accused in the present crime is Aniket Dhananjay Phatak. Even according to the First Informant's report, they have put their trust in the principal accused person who had promised them a

government job and demanded Rs.8 lakhs each from them for the same. Record of investigation shows that the persons who were duped had given a substantial amount to the principal accused person.

4. Applicant before me is one of the accused persons. It is seen that the present Applicant and the principal accused who is absconding were working in the same department as ward boys in a government hospital. According to the prosecution, both these Applicants had money transactions with the 8 nurses from whom they had received money by luring them into giving a government job to them.

5. Case of the prosecution is that Applicant alongwith the other accused persons has dishonestly induced the victims and convinced them to part and pay money to them for releasing their appointment order. The total outlay of the money collected by the accused persons is more than Rs.1.36 crores. It is seen that the principal accused person namely Accused No.1 Aniket is absconding and so also other co-accused persons are absconding.

6. The entire account extract of the bank account of Applicant has been placed on record. It *prima facie* shows that the bank account of Applicant had received an amount of Rs.2 lakhs and he having received this amount of Rs.2 lakhs from the principal accused person is held against Applicant. That apart, it is also alleged that Applicant was part of the criminal conspiracy hatched by the principal accused person

and therefore his proximity and nexus to the principal accused person is such that he was completely aware about the *modus operandi*.

7. The learned Trial Court has rejected the Bail Application on the premise that Applicant was a carrier of money on behalf of the principal co-accused person and has held the factum of present Applicant and the principal accused person working in the same department to be against Applicant and concluded that he was part of the conspiracy, part of the conspiracy which was hatched by them.

8. I have considered the material which is placed on record. It is seen that appointment orders have been issued on the letterhead of the Government Authority which are forged and fabricated on receiving substantial amounts from the 8 nurses / First Informant. However, it is seen that insofar as Applicant is concerned, he was not a recipient or beneficiary of the amounts which were collected.

9. The account of Applicant with the principal accused persons for the period between 10.06.2024 to 04.05.2025 which is the contentious period, *prima facie* shows that whatever amounts were received by him were infact transferred to the principal accused person. Statement to that effect showing Rs.12.31 lakhs having been received by him has been transferred to the principal Accused No.1.

10. It is seen that wife of the main accused has not been arrested in the offence only on the ground that she has deposited an amount of

Rs. 2 lakhs with the prosecution. It is also seen that mother and father of the principal accused have all been granted anticipatory bail, although there are serious allegations against the father of the principal accused that he was always present when the amounts were parted by the victims to the principal accused person.

11. That apart, it is seen that there is no incriminating material or allegation against the Applicant that he was the one who gave promises of appointment or was even present while the victims had parted with cash amounts to the principal accused person. It is *prima facie* seen on perusing the statement of the bank account of Applicant that as against receipt of Rs.7,11,500/- from principal Accused No.1, the account statement of Applicant shows that he had transferred an amount of Rs.8,51,700/- to the principal accused person and therefore he was supposed to receive Rs.1.4 lakhs from him.

12. Mr. More would submit that Applicant is ready and willing to deposit the amount of Rs.3.8 lakhs with the prosecution within a period of 4 weeks.

13. In view of the above *prima facie* observations and findings and the *bonafides* been shown by Applicant and the role attributed to Applicant by the prosecution case and the fact that the principal accused person is absconding who is the principal and main beneficiary, I am inclined to consider the case of Applicant for grant of bail and release Applicant from prison.

14. Hence, in view of above *prima facie* observations and findings, Bail Application of Applicant is allowed subject to the following terms and conditions:-

(i) Applicant – Sudhakar Ishwar Solanki is directed to be immediately released from prison in connection with CR. No.122 of 2026;

(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 sureties in the like amount;

(iii) Applicant shall report to the Investigating Officer at concerned Police Station, once every month, on the first Monday of the month between 10:00 a.m. to 12:00 p.m. until commencement of trial and thereafter shall attend all dates of hearing before the Trial Court;

(iv) Applicant shall cooperate with the conduct of the trial and remain present before the Trial Court on all dates, unless specifically exempted. Applicant shall not seek unnecessary adjournments. Any such conduct shall entitle the prosecution to apply for cancellation of bail;

(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 residential address and mobile telephone number and shall forthwith inform the Investigating Officer of any change in his residential address or mobile telephone number, as and when such change occurs; and

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

15. 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.

16. Bail Application is allowed and disposed in the above terms.

[MILIND N. JADHAV, J.]

Ajay

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