IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3287 OF 2026

Sanjivan Vinayak Patil … Applicant
V/s.
State of Maharashtra … Respondent

Mr. Satyam Surana, for the Applicant
Mr. Sukanta Karmakar, APP for the Respondent - State.
Mr. Murkande, PSI, Nagothane Police Station, Raigad.

CORAM : MILIND N. JADHAV, J.

DATED : OCTOBER 13, 2026

P.C.:

1. Heard Mr. Satyam Surana, learned Advocate for Applicant and Mr. Sukanta Karmakar, 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.97 of 2025 registered with Nagothane Police Station, Raigad for offences punishable under Sections 406, 409, 420, 468, 471, 477-A, r/w 34 of Indian Penal Code, 1860; and under Sections 3, 4 of Maharashtra Protection of Interest of Depositors Act, 1999 (for short 'MPID Act')

3. On 25th August, 2026, after hearing the learned advocates for the parties, the following order was passed:

> *"1. Heard Mr. Satyam A. Surana, learned counsel for Applicant and Mr. Sukanta A. Karmarkar, learned APP for Respondent - State.*

2. Applicant is arraigned as accused in FIR No.97 of 2025 registered with Nagothane Police Station, District Raigad for offence punishable under Sections 406, 409, 420, 468, 471, 477-A read with Section 34 of IPC and Sections 3 and 4 of Maharashtra Protection of Interest of Depositors Act, 1999(MPID).

3. According to learned Advocate, Applicant was the Honorary Secretary of the Co-operative Bank. He would submit that case of the prosecution stems from the fact that cheques signed by the applicant as Secretary of the Co-operative Bank were issued to the creditors and dishonoured leading to action taken by the said creditors.

4. Mr. Surana, learned counsel would apprise the Court that applicant is already facing proceedings under Section 138 with regard to the said dishonoured cheques. He would submit that at the instance of complainant an FIR is lodged in 2025 and applicant has been arrested and he is in custody for past one year. He would submit that chargesheet has already been filed and the investigation has been completed. He would submit that what enures to the benefit of the applicant is a statutory audit report prepared under Section 81 of the MCS Act which prima facie gives the details of the cheques which were issued in the normal course of the business of the Co-operative Bank. He would submit that a co-accused, who was the Manager of the Bank, has already been enlarged on bail but the applicant who is the Honorary Secretary is still under arrest.

5. From the aforesaid submissions it is prima facie seen that further custody of the applicant is not required. Learned Prosecutor to take precise instructions and accordingly apprise the Court about the same.

6. Needless to state that if applicant is released on bail, he shall cooperate with prosecution.

7. Stand over to 1 September 2026. Any affidavit required to be filed shall be filed before the next date".

4. In compliance with the aforesaid order, the prosecution has filed its affidavit.

5. It is prima facie seen that the Applicant was the Honorary Secretary of the concerned Bank and in the course of his normal day-to-day regular business, was required to sign the cheques. The statutory audit report does not indict the Applicant on this count.

6. In that view of the matter, the Applicant is required to be treated

at par with the Manager of the Bank, who has already been enlarged on bail by this Court.

7. 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 is directed to be immediately released from prison in connection with CR. No.97 of 2025;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs.25,000/- (Rs. Twenty Five 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.

8. 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.

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

[MILIND N. JADHAV, J.]