

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 4476 OF 2025

Sudam Dagdurao Amte

.....Applicant

VERSUS

State of Maharashtra

.....Respondent

Mr. Gaurav Parkar, Advocate for the Applicant.
Smt. Ranjana D. Humane, APP for the State.
PSI – Janak Wakankar, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 22nd JANUARY, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 614 of 2025 registered with Chikhali Police Station, Pune, for the offences punishable under Sections 318(4), 316(2), 317(2), 336(2), 336(3), 340(2) and 344 of Bharatiya Nyaya Sanhita, 2023 (for short “BNS Act”) and Sections 3 and 4 of the Maharashtra Protection of Interest Depositors Act.

2. It is prosecution’s case that accused Nos. 1 and 2 lured the investors that they will provide loan on gold ornaments at an interest rate below 1% charged by bank. It is alleged that the accused Nos. 1 and 2

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pledged the gold of the investors with the applicant and took the money from the applicant. It is alleged that the applicant and accused Nos. 1 and 2 were in conspiracy.

3. It is contention of learned counsel for the applicant that applicant is behind bars for six months. The applicant himself has been cheated by the accused Nos. 1 and 2. The applicant was not aware that the gold pledged by accused Nos. 1 and 2 was of investors. The applicant has given the amount to the accused Nos. 1 and 2 against the said pledged gold. During investigation, police has recovered the gold and amount of Rs. 1,52,60,000/- from the applicant. The applicant has no antecedents. Investigation is completed. Chargesheet has been filed and requested to allow the application.

4. It is contention of learned APP that the applicant was in conspiracy with accused Nos. 1 and 2. The gold pledged by the investors with accused Nos. 1 and 2 was pledged with the applicant by accused Nos. 1 and 2. It shows involvement of the applicant in the crime. If the applicant is released on bail, he may abscond or threaten prosecution witnesses, and requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet and documents produced on record. There are no allegations against the applicant that he lured any investors. The allegations against the applicant

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are that the accused Nos. 1 and 2 pledged the gold taken from investors with the applicant and took the amount from the applicant. The police has seized amount of Rs.1 crore and 1 lakh and gold ornaments of 692 gm. from the applicant. Investigation is completed. Chargesheet has been filed. To prove conspiracy evidence is required. The applicant has no antecedents. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 614 of 2025 registered with Chikhali Police Station, Pune, on executing P.R.Bond of Rs. 30,000/- on furnishing one or two sureties in the like amount.
- ii. The applicant shall attend the concerned police station as and when required.
- iii. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

6. The application is allowed in the aforesaid terms and is accordingly disposed of. All pending applications, if any, disposed of.

7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations

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made in this order.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)