

Sharada (This order is corrected as per order dated 23rd April, 2026)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.4718 OF 2025

Bhagirath Shriram Chaudhary : Applicant

Versus.

State of Maharashtra : Respondents

Mr. Narayan Bubna, Advocate for the Applicant.

Mr. Shishir Hiray, Special PP a/w Mr. Shubham Joshi.

Mrs. Rajeshree Newton, APP for the State.

CORAM : ASHWIN D. BHOBE, J.

DATED : 9th APRIL 2026

PC:-

1. Heard Narayan Bubna, learned Advocate for the Applicant, and Mr. Shishir Hiray, learned Special PP for Respondent.

2. Applicant, by this Application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is before this Court seeking bail in FIR No. 51 of 2025 registered with Chhavani Police Station, Malegaon City, District Nashik, for offences punishable under Sections 318(4), 336(3), 340(2), 61(2), and 338 read with Section 3(5) of the BNS, 2023, as well as Sections 8 and 11 of the Prevention of Corruption Act,

1988 (the “said FIR”). The said crime is registered as Special Case No. 100 of 2025 and is pending before the Additional Sessions Judge, Malegaon, District Nashik.

3. There are 21 Accused in the said FIR. The Applicant herein is Accused No.19.

4. The Applicant was arrested on 15th March 2025 and has been in jail since then. The Bail Application at Exhibit 5, filed by the Applicant in Special Case No.100 of 2025, was rejected by the Additional Sessions Judge on 8th October 2025.

5. Mr. Narayan Bubna, learned Advocate for the Applicant, submits that the allegations against the Applicant are that he was running a Customer Service Center to assist people in obtaining PAN cards, Aadhaar cards, birth certificates, domicile certificates, etc. He further submits that the allegations against the Applicant involve preparing affidavits without the deponents' presence by forging their signatures for financial gain. He submits that Khalid Akhtar Mohammed Yusuf (Accused No. 11 in the present crime), against whom similar allegations of preparing false documents without the deponents' presence and forging their signatures for monetary gain have been made, has been released on ad-interim anticipatory bail by this Court in ABA No. 1252 of 2025 by order dated 25th May 2025. He submits that in an identical crime (FIR No. 40 of 2025), Khalid Akhtar Mohammed Yusuf was granted anticipatory bail by the Hon'ble Supreme Court

vide order dated 09 July 2025 passed in Special Leave to Appeal (Crl.) No. 4952 of 2025. He submits that Accused Nos. 7 and Applicant (Accused No.9) in FIR No. 40 of 2025 were released on bail by this Court in Criminal Bail Application No. 3994 of 2025 and Criminal Bail Application No. 4018 of 2025, respectively. He submits that the offences in FIR No. 51 of 2025 are identical and similar to the offences charged in FIR No. 40 of 2025. He submits that, since the Applicant is similarly placed to Khalid Akhtar Mohammed Yusuf, the Applicant is seeking bail on the ground of parity. He further submits that the Applicant has no antecedents.

6. Mr. Shishir Hiray, learned Special PP for the Respondent/State, submits that the material on record is sufficient to indicate the Applicant's involvement in FIR No. 51 of 2025. He, however, fairly submits that Khalid Akhtar Mohammed Yusuf (Accused No.11) has been released on bail by the Hon'ble Supreme Court in FIR No. 40 of 2025 and that this Court has granted ad-interim anticipatory bail to him in FIR No. 51 of 2025. He further submits that the allegations against Khalid Akhtar Mohammed Yusuf (Accused No.11) are similar to and identical with, those made against the Applicant.

7. Mr. Shishir Hiray, learned Special PP, on instructions, confirms that the Applicant has no previous criminal record.

8. Heard Arguments. Perused the record and order dated 09 July 2025, passed by the Hon'ble Supreme Court in Special

Leave to Appeal (Crl.) No.4952 of 2025 in FIR No. 40 of 2025.

9. A perusal of the chargesheet, particularly the allegations against Khalid Akhtar Mohammed Yusuf (Accused No.11) and the Applicant, suggests that the allegations are similar and that the role assigned to the Applicant is identical to that assigned to Khalid Akhtar Mohammed Yusuf (Accused No.11) in the present crime. This Court has granted ad-interim anticipatory bail to Khalid Akhtar Mohammed Yusuf (Accused No.11) in FIR No. 51 of 2025. Charge in Special Case No.100 of 2025 is not framed till date. There is no likelihood of trial commencing in the near future. In such circumstances, Mr. Narayan Bubna is justified in seeking bail on the ground of parity. Furthermore, the Applicant has been in jail for more than a year.

10. Mr. Shishir Hiray submits that strict conditions may be imposed, including a condition that the applicant should not enter Malegaon City or Malegaon Tahsil until the charge is framed.

11. Mr. Narayan Bubna, on instructions from the Applicant, states that until the framing of the charge in Special Case No.100 of 2025, the Applicant shall not enter the jurisdiction of Malegaon City/Malegaon Tahsil. Statement accepted.

12. In view of the above, the present Bail Application is allowed on the following conditions:-

- a. Applicant is directed to be released on bail in connection with FIR No. 51 of 2025 registered with Chhavani Police Station, Malegaon City, District Nashik, for the offences punishable under Sections 318(4), 336(3), 340(2), 61(2), and 338 r/w Section 3(5) of the BNS, 2023, and under Sections 8 and 11 of the Prevention of Corruption Act, 1988, on executing a P.R. Bond in the sum of Rs. 2,00,000/- (Rupees Two lakhs Only) with one or two local sureties of like amount to the satisfaction of the Additional Sessions Judge, Malegaon, District Nashik.
- b. Applicant shall not directly or indirectly make any inducement, threat, or promise to any person/s acquainted with facts of the accusation, to dissuade such person from disclosing such facts to the Court or to any police officer.
- c. Applicant shall not tamper with the prosecution witnesses and evidence in any manner.
- d. Applicant, upon his release, shall, within three days, furnish his cell phone number, contact details, and residential address with proof to the Investigating Officer at Chhavani Police Station, Malegaon City, District Nashik and shall keep this information updated in case of any changes.

- e. The Applicant shall surrender his passport, if any, to the Investigating Officer at Chhavani Police Station, Malegaon City, District Nashik, within three days of his release.
 - f. The Applicant shall report to the Investigating Officer of Chhavani Police Station, Malegaon, District Nashik, on the 2nd Saturday of every month from 10.00 am to 12.00 pm till further orders from the Additional Sessions Judge, Malegaon, District Nashik.
 - g. The Applicant shall not enter the territorial jurisdiction of Malegaon City/Malegaon Tahsil until the charge is framed in Special Case No.100 of 2025, except for reporting to the Investigating Officer and/or attending the day-to-day hearings in Special Case No.100 of 2025.
 - h. The Applicant shall attend each hearing date in Special Case No.100 of 2025 regularly, unless exempted.
- 13.** The Criminal Bail Application No. 4718 of 2025 is disposed of.

(ASHWIN D. BHOBE, J.)