

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 53 OF 2026

Jeevan Ramchandra Sawant

versus

The State of Maharashtra

Mr. Raj Bannatwala, Advocate for Applicant.

Mr. B. B.Kulkarni, APP for Respondent-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 9th MARCH, 2026.

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. Learned counsel for the applicant submits that the Trial Court had granted bail to the applicant but has directed the applicant to deposit a sum of Rs. 19,25,000/- as a condition for release from jail. He further submits that as per the view of the **Apex Court Ramesh Jain Vs. State¹**, such a condition cannot be imposed and requested to allow the application.

3. Learned APP submits that as per the view of Hon'ble Apex Court in the case of **Ramesh Jain (supra.)**, the matter be remanded back to the learned Trial Court with direction to decide the bail application on

¹ In Criminal Appeal No(2). 387 /2026@ SLP (Cri) No. 11336/2025 dtd. 21/01/2026.

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merits.

4. I have heard both learned counsel, perused the impugned order. The learned Trial Court has granted bail to the applicant but has directed the applicant to deposit Rs. 19,25,000/- as a condition for release from jail. As per the view of the Hon'ble Apex Court in case of **Ramesh Jain (supra.)**, such a condition cannot be imposed. The Trial Court should have decided the bail application of the applicant on merits.

5. Considering these facts, I pass following order:

- (i) The application is partly allowed.
- (ii) The bail application of applicant is remanded back to the Trial Court.
- (iii) The Trial Court shall decide the bail application on its own merits without imposing condition of depositing the amount.
- (iv) The Trial Court shall decide the bail application expeditiously.

The Criminal Application stands disposed of in the above terms.

(SHIVKUMAR DIGE, J.)