

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 214 OF 2026

Rahul V. Kakade

...Applicant

V/s.

State of Maharashtra

...Respondent.

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 Mr. Sanjeev Kadam, Sr. Advocate a/w. Mr. Shailesh D. Chavan,
 Mr. Sachin Pawar, Mr. Prashant Raul, Mr. Hrishikesh Avhad and
 Mr. Ajinkya Sangitrao for the Applicant.
 Mr. B.V. Holambe Patil, APP for the Respondent/State.

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CORAM : N.R. BORKAR, J.
DATE : 10.03.2026.

P.C. :

1. Mentioned out of turn.
2. This is an application for anticipatory bail.
3. The applicant is apprehending his arrest in Crime No. 367 of 2024 registered at Vadgaon Nimbhalkar Police Station, Pune Rural for the offences punishable under Sections 406, 408, 420, 465, 467, 468, 471 & 472 read with 34 of the Indian Penal Code (IPC).
4. The applicant was the Chairman of Shree Ganesh Gramin Bigarsheti Sahakari Pathsanstha Maryadit, Nimbut, Tal. Baramati, Dist. Pune. It is alleged that the present applicant and other co-accused misappropriated an amount of Rs.1,22,29,805/- of the said Pathsanstha.

5. I have heard the learned senior counsel appearing for the applicant and the learned APP for the respondent / State.

6. Learned senior counsel submits that pursuant to the complaint lodged by the present applicant audit of the Pathsanstha under Section 81 of the Maharashtra Cooperative Societies Act was conducted and it was found that the Secretary and the Accountant misappropriated the said amount of Rs.1,22,29,805/-. It is submitted that during the said audit, it was found that the present applicant was not involved in the alleged misappropriation. Learned senior counsel submits that according to prosecution the present applicant has misappropriated Rs.15,00,000/-. The learned senior counsel, on instructions, submits that the applicant, without prejudice to his rights, is ready and willing to deposit the said amount of Rs.15,00,000/-. It is further submitted that the prosecution has already filed the charge-sheet and therefore, there is no need of custodial interrogation of the applicant.

7. On the other hand, learned APP for the respondent/State submits that there is evidence to show that the applicant has tampered with the accounts of the Pathsanstha and misappropriated the amount of Rs.14,19,240/-. Learned APP submits that considering the nature of crime, the applicant may not be released on anticipatory bail.

8. The learned APP has not disputed the fact that in the audit

conducted under Section 81 of the Maharashtra Cooperative Societies Act, no liability of alleged misappropriation was fastened upon the applicant. The prosecution has already filed the charge-sheet and thus there is no need of custodial interrogation. There are no other criminal antecedents against the applicant. In that view of matter, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed.

ORDER

- A) The Application is allowed.
- B) In the event of arrest of the applicant in C.R. No. 367 of 2024 registered at Vadgaon Nimbhalkar Police Station, Pune Rural for the offences punishable under Sections 406, 408, 420, 465, 467, 468, 471 & 472 read with 34 of the IPC, he be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one surety or two sureties in the like amount.
- C) The applicant shall deposit the amount of Rs.15,00,000/- (Rupees Fifteen Lakhs) with the trial Court within a period of four weeks from today.
- D) The applicant shall not tamper with the prosecution evidence.

[N.R.BORKAR, J.]