



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL BAIL APPLICATION (ABA) NO. 945 OF 2025

(Lokesh Madanmohan Yelne Vs. State, thr Cybr PSO, PS Bhandara, Dist. Bhandara)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. H.D. Dangre with Mr. A.A. Dhawas, Advocate for applicant.
Mr. N.R. Rode, APP for non-applicant/State.

CORAM: RAJNISH R. VYAS, J.

DATE: 16.04.2026

Heard.

2. This is the 3rd bail application preferred by the applicant, apprehending his arrest, in FIR 002/2025, dated 30.1.2025, registered with Cyber Police Station Bhandara, District, Bhandara for offence punishable under Sections 406, 417, 420 of the Indian Penal Code, Section 66(d) of the Information Technology Act, 2000, Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors Act, Sections 21(3) and 22 of the Banning of Unregulated Deposit Schemes Act, 2019.

3. The 1st bail application was rejected by this Court vide order dated 18.7.2025 in Criminal Application (ABA) No.

329/2025. Paragraph 4 of the said order is reproduced below:

“4. On hearing both the sides and on perusal of the investigation papers and the statements of the various witnesses, the involvement of the present applicant reveals not only in accepting the amount but also in inducing the various investors to invest the amount. Approximately, 100 to 150 investors are involved in the said investment, and therefore, the crime is registered. Considering the nature of the crime, admittedly, his custodial interrogation is required. In view of that, the application deserves to be rejected.”

Thereafter, the 2nd bail application was preferred bearing Criminal Application (ABA) No. 603/2025 which was disposed of as withdrawn vide order dated 26.9.2025, which is reproduced below:

“1. The applicant has filed the second application for granting Anticipatory Bail before this Court. Maintainability is challenged before this Court. As per order of the Hon’ble Supreme Court, there is no bar to file second bail application, subject to change in the circumstance as per law.

*2. The learned Government Pleader has pointed out the observations made by the Supreme Court in the case of **Sharad Vs. The state of Maharashtra and anr** in **Criminal Appeal No.1221 of 2019** that if the court has rejected the bail application and second bail application is filed then the applicant has to first approach the Sessions Court and then only approach before this Court. Considering this fact, the learned counsel appearing for the applicant seeks permission to withdraw the application with liberty to approach before the trial Court.*

3. Permission is granted with liberty as prayed for.

4.Criminal Application stands disposed of as withdrawn.”

Instant application is now preferred by the applicant on the ground that earlier the details were not given in the application and therefore, reconsideration can be taken into the matter. In order to buttress his contention, he has invited my attention to averments made in anticipatory bail application which he had preferred before the Sessions Court bearing Misc. Criminal Application No. 343/2025, more particularly, ground No.(ii) onward. He submitted that in the said paragraph, the detailed procedure is given and if the said procedure is taken into consideration then it would be crystal clear that applicant was not prima facie involved in the crime. He contended that reconsideration in the matter is required.

4. Per contra, the learned APP has contended that the FIR in question was registered in the month of January 2025 and inspite of lapse of more than 1 ½ years, the applicant is not cooperating with the investigating agency and is absconding. He therefore, submits that considering the conduct of the applicant, he is not entitled for discretionary relief.

5. The learned counsel for the applicant then invited my attention to the order passed in Criminal Application (ABA) No. 251/2022, dated 16.6.2022, decided by this Court, more particularly, paragraph 12 and has contended that if some new facts are discovered, fresh look can be taken. Per contra, learned APP has contended that order dated 16.6.2022 was passed in peculiar facts and circumstances of the case. Though, subsequent successive anticipatory bail applications are permissible, it cannot be ignored that what has been stated in ground No. (ii) page 99 are only details given.

6. In this background, I have gone through the record of the case and have given thoughtful consideration to the argument advanced by the learned counsel for the respective parties.

7. At the outset, as already stated, first bail applications were rejected by this Court by speaking order. It was specifically observed by this Court that custodial interrogation of the applicant was required. Thus, it can be said that the material which was brought on record, at the relevant time, was enough to satisfy the Court to arrive at the conclusion that the custodial

interrogation was necessary. The contention of the learned counsel for the applicant that details given at page 99, more particularly, in an application which was preferred before the Sessions Court for grant of anticipatory bail would change the outlook. Suffice it to say that such facts will not dilute the observation made that custodial interrogation is required. Since the applicant is not available to the Investigating Agency since last 1 ½ years, I am not inclined to entertain the present application. The successive bail applications by the accused who is running away from the process of law also shows that preferring one application after another is abuse of criminal law.

Hence, the application is rejected.

(RAJNISH R. VYAS, J.)