



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

CRIMINAL APPLICATION [APPP] NO. 1591/2026
IN CRIMINAL APPLICATION [BA] NO.1310/2025.

Sachin Dnyaneshwar Dahake

-VERSUS-

State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri N.S. Padia, Advocate for the Applicant.
Ms M. Deshmukh, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : MAY 07, 2026.

Heard.

2. This Court by order dated 12.01.2026 had ordered release of the applicant on certain terms and conditions. One of the condition i.e. condition no.[ii] reads as under :

“(ii) The applicant/accused (Sachin S/o Dnyaneshwar Dahake) be released on regular bail in connection with Crime No.482/2022 registered with Beltarodi Police Station, for the offence punishable under Section 420 of the Indian Penal Code, 1860, and under Section 3 of the Maharashtra Protection of Interest of Depositors (MPID) Act, 1999, on his furnishing a P.R. bond of Rs.1,00,000/- (Rupees One Lakh) with two

solvent sureties in the like amount”

3. The learned Counsel for the applicant submits that the applicant has tried his level best to arrange for two sureties, but, he was not able to arrange for the same, and though this Court has ordered his release on 12.01.2026, for want of compliance of the aforesaid condition, he is still in jail. The applicant is ready to give one surety of Rs.2 lakhs.

4. On the other hand the learned A.P.P. opposes the application by submitting that the case is registered under the provisions of the Maharashtra Protection of Interest of Depositors (MPID) Act, 1999, and therefore, it cannot be believed that the applicant was not able to arrange for two solvent sureties. She submits that the condition cannot be relaxed and the application be rejected.

5. I have considered the rival contentions. This Court vide order dated 12.01.2026 ordered release of the applicant on regular bail by imposing the aforesaid condition. The Supreme Court has time and again considered this issue and held that inspite of the fact that the accused is released on bail, however, for want of compliance of the condition due to poverty or any other reason, if he is not released from jail then it would amount to denial of bail. The Supreme Court in case of **Customs .vrs. Faridah Nakanwagi (SLP (Cri)**

No.2725/2026) has clarified that if the accused is unable to furnish surety though he was able to make out a case for bail, solvent surety cannot act as a barrier for his release. Though this Court by order dated 12.01.2026 has ordered release of the applicant, but, he is still in jail, which amounts to frustration of the order itself. Therefore, considering this fact, I am inclined to consider the prayer made by the applicant, hence, the following order.

“ The applicant/accused (Sachin S/o Dnyaneshwar Dahake) be released on regular bail in connection with Crime No.482/2022 registered with Beltarodi Police Station, for the offence punishable under Section 420 of the Indian Penal Code, 1860, and under Section 3 of the Maharashtra Protection of Interest of Depositors (MPID) Act, 1999, on his furnishing a P.R. bond of Rs.1,00,000/- (Rupees One Lakh) with one solvent surety in the like amount”

Criminal Application is disposed of accordingly.

JUDGE