

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

CRIMINAL APPLICATION NO. 22 OF 2026

Nitesh s/o Pramodrao Yesankar

..VS..

State of Maharashtra

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

Court's or Judge's orders

Shri A.M. Jaltare, Advocate for the applicant.
Ms P.C. Bawankule, APP for the State.

CORAM: M.M. NERLIKAR, J.
DATE : 10.02.2026.

Heard.

2. By way of this application, the applicant is seeking bail in connection with Crime No.316 of 2024 registered with the Wardha City Police Station, District Wardha for the offence punishable under Sections 406, 407, 409, 420, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code.

3. The complainant Dhahanjay Wagh has lodged the written complaint at the Wardha City Police Station against the then Deputy Collector and Land Acquisition Officer, Wardha and other persons in respect of misappropriation of government funds of Rs.2,13,28,311/-. It is alleged that the applicant has conducted verification of the records and prepared the forged documents during the tenure of main accused Swati Suryawanshi. With the help of these forged documents, the present applicant as well as his wife and other co-accused used their bank accounts for depositing the misappropriated funds belonging to public at large.

4. The learned Counsel for the applicant submits that very limited role has been attributed to the present applicant of misappropriation of funds. It is also submitted that the main accused Swati Suryawanshi so also other accused persons have been enlarged on bail by the Hon'ble Supreme Court on 21.07.2025. Therefore, the present applicant deserves to be enlarged on bail.

5. On the other hand, learned APP opposes the application on the ground that the present applicant had played a very important role in the entire offence of misappropriation. He has siphoned more than Rs. 2 crores by preparing 17 proposal of the fake beneficiaries and the amount was diverted to his or his relatives' accounts, and therefore, the present applicant had misappropriated huge amount belonging to original beneficiaries whose lands were acquired by making false documents; Therefore, considering the important role played by the present applicant, the application deserves to be rejected.

6. I have heard both the parties and perused the record. Admittedly, the Hon'ble Supreme Court has granted bail to main accused Swati Suryawanshi and other co-accused. The present applicant, who is working independently, was engaged to prepare the proposal and documents by Swati Suryawanshi (main accused). However, as the Hon'ble Supreme Court has enlarged the main accused on bail, it is not desirable to keep the present applicant behind bar since the investigation is complete and charge-sheet has been filed. Considering the fact that the applicant is in jail since 29.02.2024, I

am inclined to enlarge the applicant on bail, on certain terms and conditions. Hence the following order :

- (a) The application is allowed.
 - (b) The applicant Nitesh s/o Pramodrao Yesankar in connection with Crime No.316 of 2024 registered with the Wardha City Police Station, District Wardha be released on bail on furnishing P.R. bond of Rs.50,000/- with one surety in the like amount.
 - (c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
 - (d) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.
 - (e) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.
7. The observations are *prima facie* in nature and the Trial Court shall not be influenced by the same .
8. All Misc. application(s), pending if any, shall stands disposed of accordingly.

(M.M. NERLIKAR, J.)