

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

CRIMINAL APPLICATION NO.234 OF 2026

Gajanan @ Shiva Manohar Rajankar and anr.

..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 Jayant Mokadam, Advocate for the applicant.
Shri A.A. Madiwale, APP for the State.

CORAM: M.M. NERLIKAR, J.
DATE : 25.03.2026.

Heard.

2. By way of this application, the applicants are seeking regular bail who are in jail, through N.B.W. in Special Case No.ACB-3/2016 in Crime No.3075 of 2015 registered with the Tamgaon Police Station, Tq. Sangrampur, District Buldhana for the offence punishable under Sections 7, 12, 13, 13(1)(d), 13(2) of the Prevention of Corruption Act.

3. It appears from the record that earlier the applicants were released on bail on 30.08.2015 by the Trial Court on certain terms and conditions and they have attended the court proceedings till 19.08.2017. Thereafter the applicants never appeared before the Court, which could be gathered from the order dated 27.01.2026 passed by the Additional Sessions Judge, Khamgaon, which compelled the Trial Court to issue non-bailable warrant. By the aforesaid order, the application for cancellation of non-bailable warrant came to be rejected and accused were directed to be taken into

custody. Further the applicants and another accused have filed application for bail, which was also rejected and since then the applicants are in jail.

4. Learned Counsel for the applicants submit that due to various reasons, they were not able to attend the court proceedings promptly. He conceded to the fact that there cannot be a reason for not attending the Court for more than eight years. However, in the interest of justice, he prayed to release the applicants on bail since the applicants are ready to abide by all the terms and conditions which will be imposed by this Court.

5. On the other hand, learned APP vehemently opposes the application on the ground that the applicants were released on bail in the year 2015 however after 2017, they never appeared before the Court and therefore, the Trial Court was constrained to issue non-bailable warrant for cancellation of bail. It is also submitted that non-bailable warrant was issued in the year 2022 however the applicants appeared in the year 2026 before the Court and therefore, there is violation of terms and conditions of bail and this conduct of the applicants show least possibility of them attending the Court, if they are released on bail and therefore, prayed to reject the application.

6. I have considered the rival submissions and perused the record. No doubt, the conduct of the applicants is highly objectionable as they have violated the terms and conditions of bail. They have been absent for 8 years and have not attended the court proceedings, for which there are no strong reasons. Naturally this

conduct goes to show that they do not deserve any equity however as was argued by the learned Counsel for the applicants that they themselves appeared before the Trial Court after issuance of non-bailable warrant and further to grant one more chance in the interest of justice, I am inclined to enlarge the applicants on bail on certain terms and conditions. Hence the following order :

- (a) The application is allowed.
- (b) The applicants 1.Gajanan @ Shiva Manohar Rajankar and 2.Yogesh Haridas Ambalke in Special Case No.ACB-3/2016 in Crime No.3075 of 2015 registered with the Tamgaon Police Station, Tq. Sangrampur, District Buldhana be released on bail on furnishing P.R. bond of Rs.50,000/- each with two sureties in the like amount.
- (c) The applicants 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 applicants shall provide their residential address and cell number to Police Station concerned and shall not change their place of residence without prior intimation to the Investigating Agency.
- (e) The applicants shall not commit any similar type of offence.
- (f) The applicants shall attend each and every

date of trial regularly. If they fails to attend the trial for one date, or fail to comply with the aforesaid conditions, their default would entail the State to ask for cancellation of bail.

7. All Misc. application(s), pending if any, shall stands disposed of accordingly.

(M.M. NERLIKAR, J.)

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