



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

CRIMINAL APPLICATION (ABA) NO. 15 OF 2026

Bharat Ninaji Thakare and another 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 R.P. Joshi, Advocate for applicants.
Shri S.B. Bissa, AGP / APP for respondent/State.

CORAM : RAJNISH R. VYAS, J.

DATE : 22.04.2026.

1. Apprehending arrest in connection with Crime No.90/2025 registered with Police Station, Gadchandur, District Chandrapur for the offences punishable under Sections 419, 420, 465, 467, 468, 471, 472 read with Section 34 of the Indian Penal Code, the applicants /accused nos.1 and 2 have approached this Court.

2. The learned counsel for the applicants has contended as under:

(i) Prima facie case is not made out.

(ii) Story advanced in the First Information Report is absolutely false.

(iii) One of the applicants by name Bharat was served with notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(iv) The applicants have co-operated with the investigating agency by attending the police station as

directed by this Court.

(v) Custodial interrogation of the applicants is not required.

3. Per contra, the learned APP has contended as under:

(i) It was the present applicants who initially induced the informant to part with the amount.

(ii) There is specific averment in the First Information Report that applicant Kishor was paid ₹3,50,000/- and Bharat was paid ₹2,50,000/-.

(iii) Custodial interrogation for recovery of amount is necessary.

4. With the assistance of the respective counsels, I have gone through record of the case. The informant is one Vinod Santoshrao Sarode in FIR, he has named seven accused. The present applicants are shown as accused nos.1 and 2, who were his friends and were known to him since the year 2006.

5. In short, it was alleged in the First Information Report that the applicants have told the informant that they are the owners of Antique Article which is duly certified by the DRDO. According to them, the said antique articles are used while making satellite and the Government of India purchase it by way of auction for crores of rupees. The

applicants then advanced difficulty that for checking the authenticity of an article, a chemical is required to be purchased, for which an amount of ₹57 lakhs is required. The informant then stated in the First Information Report that the applicants demanded amount of ₹25 lakhs for that purpose and assured that the amount will be returned.

6. It is further alleged in the First Information Report that believing the assurance given by the applicants/accused to the informant from time to time, various amount was transferred in account of one Samir Mulla, and Asama Mulla and to many other persons. It was further alleged in the First Information Report that forged letter dated 26.08.2016 was forwarded on WhatsApp account of the informant and said letter was shown to have been prepared by the Defence Research and Development Organisation, Ministry of Defence, Government of India. The informant thus on various occasions had transferred the total amount of ₹2,02,91,500/- in different accounts. The First Information Report further shows that on 14.01.2021, the informant has received a telephonic call from one Raju Vaishnav, resident of Udaipur, who told that amount of ₹1200 crores is credited by the Reserve Bank of India in his account and the amount of ₹200 crores is required to be paid to the officer of the RBI. It is on this count also the amount was demanded from the informant.

7. Perusal of the First Information Report shows that the

story advanced by the informant fails to make out specific case against the present applicants. The version in the First Information Report, prima facie, would not appeal to a man of ordinary prudence. Be that as it may, so far as the present applicants are concerned, even according to the First Information Report, they were paid amount of ₹3,50,000/- (Kishor) and ₹2,50,000/- (Bharat) out of ₹2,02,91,500/-. The said fact is also disputed by the learned counsel for the applicants.

8. On being equired the learned APP has fairly stated that the applicants have cooperated with the investigating agency and no such forged letter dated 26.08.2016 mentioned in the First Information Report is produced by the informant. In that view of the matter, since prima facie is not made out and as the applicants have cooperated with investigating agency as directed by this Court, while passing the ad interim anticipatory bail order, I am inclined to pass the following order:

ORDER

(i) The application is allowed and disposed of.

(ii) In the event of arrest in connection with Crime No.90/2025 registered with Police Station, Gadchandur, District Chandrapur for the offences punishable under Sections 419, 420, 465, 467, 468, 471, 472 read with Section 34 of the Indian Penal Code, applicants – **(1) Bharat**

Ninaji Thakare and (2) Kishor Bapurao alias Bhaurao Gawai shall be released on bail on furnishing a PR bond of ₹55,000/- [Rupees Fifty Five Thousand only] each with one solvent surety each in the like amount.

(iii) The applicants shall attend the concerned Police Station on 26th April 2026 between 03.00 pm to 06.00 pm and thereafter as when called by the investigating officer, till filing of the charge-sheet.

(iv) The applicants shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses directly or indirectly.

(v) The applicants shall not leave India without prior permission of this Court.

(Rajnish R. Vyas, J.)

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