



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

954 BAIL APPLICATION NO. 887 OF 2026

Paras Lalaman Nand And Another

VERSUS

The State Of Maharashtra

WITH

CRIMINAL APPLICATION NO. 1775 OF 2026 IN BA/887/2026

Sachin Vilkisan Kamble

VERSUS

The State Of Maharashtra And Others

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Ms. Rashmi S. Kulkarni, Advocate a/w Mr. S.T. Bhimale, Advocates for Applicants

Mr. S.A. Gaikwad, APP for Respondent-State

Mr. M.R.Sonawane, Advocate for Informant

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 19 JUNE, 2026

PER COURT :

1. Heard the learned counsel Ms. Rashmi Kulkarni for the applicants, Learned APP Mr. S.A. Gaikwad, for respondent-State and learned counsel Mr. M.R. Sonawane, for the informant.

2. Criminal Application No.1775 of 2026 is filed seeking permission to assist the learned APP. For the reasons stated therein, the application is allowed. The applicant therein is permitted to assist the learned APP. The application stands disposed of accordingly.

3. By the present application, the applicants seek their release on bail in connection with Crime No.231 of 2026 registered with Sadar Bazar (S B) Jalna Police Station, District Jalna, for the offences punishable under



Sections 318,(4), 338, 336(3), 340(2), 61(2), 111, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Learned counsel for the applicants submits that no offence, as alleged, is made out against the applicants and that they have been falsely implicated in the present crime. She submits that the informant obtained certain documents from the office of the Charity Commissioner, Jalna, and on the basis of those documents, lodged the present report. According to her, the dispute essentially pertains to the property of a public trust and is predominantly civil in nature, which has been given a colour of criminal prosecution. She further submits that no inquiry was initiated by the competent authorities under the provisions of the Maharashtra Public Trusts Act, 1950. It is contended that the criminal proceedings have been initiated only with an intention to harass the applicants. Learned counsel further points out that the investigation is complete and charge-sheet has already been filed. The entire case rests upon documentary evidence, which has already been collected and seized by the Investigating Agency. The applicants are in custody since 04.04.2026 and, therefore, their further custodial detention is not necessary. On these grounds, she prays for grant of bail.

4. Per contra, learned APP and learned counsel for the informant vehemently oppose the application. Learned counsel for the informant has invited my attention to the order dated 11.06.2026 passed by the



Coordinate Bench of this Court in Criminal Application No.581 of 2026. He submits that applicant No.1 Paras has fourteen criminal antecedents to his credit, whereas applicant No.2 – Santosh has six criminal antecedent. According to him, considering the criminal antecedents of the applicants, the Coordinate Bench had declined to grant bail in a similar matter. It is therefore submitted that the applicants do not deserve the discretionary relief of bail. Learned APP has adopted the said submissions and prayed for rejection of the application. Therefore, learned APP as well as learned counsel for the informant prayed to reject the application.

5. I have considered the submissions advanced by the learned counsel for the applicants, the learned APP for the State, and the learned counsel for the informant. I have also perused the FIR, charge-sheet and the material placed on record.

6. I have also gone through the chart of criminal antecedents placed on record by the learned counsel for the informant. So far as applicant No.1 – Paras is concerned, out of the offences registered against him, he has been acquitted in eight cases, three cases are at the stage of appearance, two cases are under investigation and one case is at the stage of evidence. In so far as applicant No.2 - Santosh is concerned, out of the offences registered against him, he has been acquitted in two cases, two cases are at the stage of appearance, one case is at the stage of evidence and investigation in one case is still in progress.



7. Though the learned counsel for the informant has heavily relied upon the criminal antecedents of the applicants, while considering an application for bail, the Court is also required to examine the nature of the allegations in the crime in question. The allegations in the present case arise out of a dispute relating to the property of a public trust. Prima facie, the dispute appears to revolve around the affairs and property of the trust. At this stage, this Court is not required to dwell into the merits of the allegations. The issues arising out of the allegations made against the applicants would be a matter for consideration during the course of trial. Therefore, the criminal antecedents of the applicants, by themselves, cannot be the sole ground to deny bail when the other relevant circumstances are taken into consideration.

8. The record further indicates that the investigation is complete and charge-sheet has already been filed. The prosecution case is substantially based on documentary evidence, which is already in its custody. The applicants have been incarcerated since April, 2026. In the facts and circumstances of the case, their further custodial detention does not appear necessary for the purpose of investigation. Therefore, I am inclined to allow the application by imposing suitable conditions. Hence, the following order:

ORDER

I. The application is allowed.



II. Applicants, namely (1) Paras Lalaman Nand and (2) Santosh Baburao Tandale, be released on bail in connection with Crime No.231 of 2026 registered with Sadar Bazar (S.B.) Police Station, Jalna, District Jalna, for the offences punishable under Sections 318(4), 338, 336(3), 340(2), 61(2), 111 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, on executing P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand only) each with one solvent surety each in the like amount, subject to the following conditions:

[a] Till conclusion of the trial, the applicants shall not enter the territorial jurisdiction of Jalna District except for attending the proceedings of the cases pending against them or as and when required by any Court or Investigating Agency.

(b) The applicant shall not tamper with the prosecution evidence and shall not threaten or induce prosecution witness in any manner.

(c) In the event of breach of any of the aforesaid conditions, it shall be open for the prosecution to move the competent Court for cancellation of bail.

III. Needless to state that the observations made herein are *prima facie* in nature and confined to the adjudication of the present bail application. The Trial Court shall not be influenced by any of the observations made in this order while deciding the case on its own merits.

[SIDDHESHWAR S. THOMBRE]
JUDGE