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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3873 OF 2026

Yuvraj Bharat Tivde .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Ms. Priyal Sarda a/w Seema Dighe, for the Applicant.
- Ms. Rajeshree Newton, APP for the Respondent - State.
- Mr. A.B. Dudhe, PSI, Chinchwad Police Station, Pune.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 19, 2026

P.C.:

1. Heard Ms. Sarda, learned Advocate for Applicant and Ms. Newton, learned APP for Respondent.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail in connection with C.R. No.155 of 2025 registered with Chinchwad Police Station, Pune for offences punishable under Sections 319(2), 318(4), 336(2), 336(3), 338, 340(2) of the Bharatiya Nyaya Sanhita, 2023 (for short "**BNS**").

3. The Applicant is indicted for his role in opening a bank account on the basis of forged documents, and after the said account was opened, he availed of and borrowed Rs. 18 lakhs from the bank, in the name of the Informant, for which he has been indicted in the

present criminal offence for cheating and forgery.

4. The Aadhaar Card and the PAN Card of the Informant have been forged by the Applicant for opening the bank account.

5. The Applicant has antecedents of a similar nature. The loan amount of Rs. 18 lakhs has been extended by the bank, but *prima facie*, the bank's due diligence is also required to be considered before advancing the loan.

6. The unfortunate thing is that the bank has given the said loan as a personal loan without insisting on any security which is equally baffling.

7. Be that as it may, Applicant has been incarcerated in prison for more than 16 months.

8. The Applicant himself has filed an undertaking by placing a demand draft of Rs. 2 lakhs before the Court, which has been arranged by his wife, and stating that the balance amount shall be paid by him within a period of 11 months from today.

9. Though this Court is completely conscious and aware of the fact that bail should not be granted on the basis of undertakings, it all depends on the facts of each case. In the present case, if the Applicant remains incarcerated, no purpose will be served, considering that the investigation is completed and the trial will take a long time to

commence as well as conclude. Rather than that, if the Applicant is released on bail, he would be in a better position to arrange for and return the money. The Applicant, having shown his *bona fides* by placing a demand draft of Rs. 2 lakhs before the Court, has made out a case for grant of bail.

10. The undertaking given by the Applicant is accepted by this Court as an undertaking given to this Court.

11. Needless to state that if there is any dereliction of the undertaking, and more specifically in regard to paragraph Nos. 4 and 5 thereof, the present bail order shall be liable to be cancelled, and the prosecution shall immediately file appropriate proceedings for cancellation of the bail order. The contents of paragraph Nos. 4 and 5 will thus form an essential bail condition in the present case.

12. In view of the above, the Applicant's Advocate is directed to deposit the demand draft of Rs. 2 lakhs, bearing No. 3741 of 2026, dated 16 October 2026, with the Trial Court. A photocopy of the demand draft is taken on record. The Applicant is granted bail.

13. Hence, in view of above *prima facie* observations and findings, Bail Application of Applicant is allowed subject to the following terms and conditions:-

(i) Applicant is directed to be immediately released from

prison in connection with CR. No.155 of 2025;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs.15,000/- (Rs. Fifteen Thousand only) with one or two sureties in the like amount;

(iii) Applicant shall report to the Investigating Officer at concerned Police Station, once every month, on the first Sunday of the month between 10:00 a.m. to 12:00 p.m. until commencement of trial and thereafter shall attend all dates of hearing before the Trial Court;

(iv) Applicant shall cooperate with the conduct of the trial and remain present before the Trial Court on all dates, unless specifically exempted. Applicant shall not seek unnecessary adjournments. Any such conduct shall entitle the prosecution to apply for cancellation of bail;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current residential address and mobile telephone

number and shall forthwith inform the Investigating Officer of any change in his residential address or mobile telephone number, as and when such change occurs; and

(viii) Any breach or infraction of any of the aforesaid conditions shall entail cancellation of the bail granted to the Applicant.

14. It is clarified that the observations made in this order are limited for the purpose of granting bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

15. Bail Application is allowed and disposed in the above terms.

[MILIND N. JADHAV, J.]