IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2322 OF 2025

Mohammad Ishaque Khalil Ahmad …Applicant
Versus
The State of Maharashtra & Ors. …Respondents

WITH
INTERIM APPLICATION NO.3398 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO.2322 OF 2025

Zainab Mohammed …Applicant
Versus
The State of Maharashtra & Ors. …Respondents

WITH
ANTICIPATORY BAIL APPLICATION NO.2361 OF 2025

Nasir Husain Mohammad Ali Ansari …Applicant
Versus
The State of Maharashtra & Anr. …Respondents

WITH
INTERIM APPLICATION NO.3371 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO.2361 OF 2025

Zainab Mohammed …Applicant
Versus
The State of Maharashtra & Anr. …Respondents

WITH
ANTICIPATORY BAIL APPLICATION NO.2360 OF 2025

Abu Horaira Mohammad Ibrahim …Applicant
Versus

The State of Maharashtra & Anr. …Respondents

WITH
INTERIM APPLICATION NO.3399 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO.2360 OF 2025

Zainab Mohammed …Applicant
Versus
The State of Maharashtra & Anr. …Respondents

WITH
ANTICIPATORY BAIL APPLICATION NO.2503 OF 2025

Zahid Husain Mohammad Ali …Applicant
Versus
The State of Maharashtra & Anr. …Respondents

WITH
ANTICIPATORY BAIL APPLICATION NO.3463 OF 2025

Aalia Mohammed Mustafa & Anr. …Applicants
Versus
The State of Maharashtra & Anr. …Respondents

WITH
ANTICIPATORY BAIL APPLICATION NO.3465 OF 2025

Shaikh Sariya Athar Husain & Ors. …Applicants
Versus
The State of Maharashtra & Anr. …Respondents

WITH
ANTICIPATORY BAIL APPLICATION NO.3484 OF 2025

Afeefa Aafreen Mohammad Ameen …Applicants

Versus

The State of Maharashtra …Respondent

Mr. Mihir Desai, Senior Advocate a/w Momin Musaddique Ahmed i/b Parth H. Zaveri, for the Applicants in ABA/2322/2025.

Mr. Mihir Desai, Senior Advocate a/w Parth H. Zaveri i/b Momin Musaddique Ahmed, for the Applicants in ABA/2503/2025 & ABA/3465/2025.

Mr. Mihir Desai, Senior Advocate a/w Mohd. Hussain Bubere i/b Javed Patel, for the Applicants in ABA/2360/2025, ABA/2361/2025 & ABA/3463/2025.

Mr. N. R. Bubna, for the Applicants in ABA/3484/2025.

Mr. Sanjeev B. Deore a/w Arman Ansari & Aditya S. Deore i/b Suchita J. Pawar, for the Applicant/Intervenor in IA/3371/2025 in ABA/2361/2026.

Ms. M. M. Deshmukh, Additional PP, for the Respondent-State.

API Ganesh Wagh & Head Constable Masule, Pawarwadi Police Station, Nashik Rural, present.

Police Constable Pawar, EOW, Nashik Rural, present.

CORAM: MADHAV J. JAMDAR, J.
DATED: 29 AUGUST 2026

PC:-

1. Heard Mr. Desai, learned Senior Counsel appearing for the Applicants in Anticipatory Bail Application Nos.2322 of 2025, 2361 of 2024, 2360 of 2025, 2503 of 2025, 3463 of 2025 and 3465 of 2025, Mr. Bubna, learned Counsel appearing for the Applicants in

Anticipatory Bail Application No.3484 of 2025, Mr. Deore, learned Counsel appearing for the Intervenor in Interim Application No.3371 of 2025 and Ms. Deshmukh, learned Additional Public Prosecutor, for the Respondent-State of Maharashtra.

2. By these Anticipatory Bail Applications filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, the Applicants are seeking pre-arrest bail in connection with CR No.181 of 2025 registered with the Pawarwadi Police Station, Nashik Rural, for the offences punishable under Sections 318(4), 336(2), 338, 336(3), 340(2) and 61(1) of the *Bharatiya Nyaya Sanhita, 2023*.

3. It is the submission of Mr. Mihir Desai, learned Senior Counsel, that in the year 2013 and prior thereto, the sanctioned strength of Malegaon High School and Junior College, Malegaon, as determined by the Education Officer (Secondary), Zilla Parishad, Nashik, was 70 aided teachers and 32.5 unaided teachers. He submits that, suddenly, for the academic year 2014-15, the said sanctioned strength was reduced to 55 aided teachers and 32 unaided teachers. He submits that the allegation of the

prosecution that 13 teachers were appointed in the year 2024 and that their appointments were shown to have been from earlier dates is totally incorrect. He submits that all these teachers were working since the date of their respective appointments. In support of these contentions, learned Senior Counsel tenders a compilation of documents (Pages 1-358) and a compilation of records (Pages 1-124). Learned Senior Counsel submits that in most of the cases, advertisements were issued and interviews were conducted, and since sanctioned strength was not available, the teachers were appointed on unaided basis. He submits that, for the academic year 2021-22 the sanctioned teaching posts were restored to 69 and 31 unaided posts were also granted (Page 26), and the same was finalized on 19th January 2024 (Page 26). He submits that retrospective effect was given to the same by the letter dated 6th July 2022 and 9th November 2023 of the Education Officer (Secondary), Zilla Parishad, Nashik (Page 22 to 23). He submits that, therefore, proposals in respect of these teachers, who were already working, were submitted to the Authorities and the said proposals were sanctioned. Accordingly, the respective teachers received arrears of back wages. He submits that there is extensive material on record in the form of advertisements, records of

interviews, resolutions of the school committee and attendance musters. He submits that the prosecution is mainly relying on the statements of teachers who are alleging that, instead of these 13 teachers, they should have been given benefit of aided posts. He submits that, therefore, in fact, the FIR has been lodged by one such disgruntled teacher and, therefore, all the Applicants are entitled for anticipatory bail. He submits that, in any case, the entire record has been seized by investigating machinery and, therefore, custodial interrogation is not necessary.

4. Mr. Bubna, learned Counsel adopted the submissions of Mr. Mihir Desai, learned Senior Counsel and submitted that the Applicant is a meritorious candidate and secured employment on merits. However, Mr. Bubna, learned counsel fairly accepted that there is no record of issuance of any advertisement pursuant to which, the Applicant has been appointed.

5. On the other hand, Ms. Deshmukh, learned Additional PP, submits that all these persons were appointed in the year 2024, after the sanctioned teaching posts were increased to 69 with retrospective effect and that for the purpose of claiming arrears of

salary, their appointments have been shown as having been made from the year 2012 onwards. She submits that the entire record prepared for showing that these 13 persons were appointed is bogus record. Ms. Deshmukh, learned Additional PP, states that not only 29 teachers who were working in the said school since 2013 have given the statements, however, the principals during whose tenure about 8 teachers were allegedly appointed have also given the statement that they were not aware of such appointment of these teachers. She submits that, insofar as the other teachers are concerned, they were appointed during the tenure of headmaster who is also accused in the present case.

6. Mr. Deore, learned Counsel for the Intervenor/First Informant, submits that two of the teachers were working in another school during the said period and that one of the teachers acquired qualification only after the appointment. He submits that for the academic year 2014-15 sanctioned strength was reduced to 55 aided teachers and that, for the first time, an application for restoration of the sanctioned strength was purportedly made by the headmaster on 30th June 2022. He submits that, although such letters are annexed to the Anticipatory Bail Application dated 30th

June 2022 and 8th November 2023, however, there is no acknowledgment of the same. He submits that although these 13 teachers were appointed in the year 2024, the bogus record is prepared showing that they were appointed from the year 2012 onwards. He submits that although attendance muster is relied upon, the same is not certified by the concerned Headmaster and Education Officer. He, therefore, submits that the Anticipatory Bail Applications be dismissed.

7. The prosecution case is set out in Paragraph Nos.3 to 5 of the Order dated 12th August 2025 passed by the learned Additional Sessions Judge, Malegaon, District Nashik in Criminal Bail Application No.754 of 2025 filed by Mohammad Ishaque Khalil Ahmad and another, which reads as under:

> "*3. It is case of prosecution that informant - Jainab Mohd. was employed as Assistant Teacher since 17/06/2013 in Anjuman Moinu-Tulba school to teach science and mathematics. Malegaon High School and Junior College are run under it. Mohammad Ishaq Khalil Ahmed is Chairman, Zahid Hussain Mohammad Ali is Principal and Nasir Hussain Mohammad Ali is Clerk of the said institution. Sima Tarannum Nihal Ahmed has been appointed as Assistant Teacher in the said school since 2013. They are paid Rs.18345/- p.m. as honorarium.*

4. In November 2023, they were approved by the government as per the 20% pay scale. Since 2016 till date, there are many vacant posts on grant basis in the school due to retirement of teachers. Since they are in service in the school, they requested the institution management and the principal that their transfer from ungranted basis to grant basis should be done as per the government decisions of June 2016, April 2021, December 2022 and April 2024. But the school management and principal demanded donation amount of Rs.5,00,000/- from them which they could not pay them. They recruited all the vacant posts of 100% grant basis by taking donation from new candidates.

5. Chairman : Mohammad Ishaq Khalil Ahmed, Principal: Zahid Hussain Mohammad Ali, Clerk : Nasir Hussain Mohammad Ali and Sr. Clerk: Abu Hurairah, as well as Agent : Naveed Akhtar Sagir Ahmed have conspired to appoint the 13 teachers from June 2024, showing the previous dates of their outstanding salaries by preparing fake appointment documents from the year 2012 to the year 2021 and sent their names to the Education Officer for approval and have approved 100% of their outstanding salaries of Rs.2,69,56,194/-. Thus, accused have misappropriated huge amount of Rs.2,69,56,194/-and hence, cheated the complainant and the government by making false and forged record. The names and details of those 13 teachers are mentioned in this report/complaint."

8. Before considering the rival submissions, it is necessary to set three Charts tendered by the learned Additional Public Prosecutor. In the first Chart, the details of the 13 disputed appointments, which are subject matter of FIR are set out, in the second and third Chart the details concerning the Applicants in

respect of each of the Anticipatory Bail Applications and their particular role is set out:-

Sr. No.	Teacher Name	Appointment date & Birth Date	Advertised Educational Qualification	Decree Obtating Date	Advertisement Date	Advertisement Subject	Interview Date	Appointment Date
6	Naim Akhtar Shabbir Ahmad	25 Years 20/7/87	HSC D.Ed	30/12/2009	Date not mentioned	--	02/12/2012	15/12/2012
14	Aaliya Mohammad Mustafa	29 Years 20/1/93	B.Sc. B.Ed	30/05/2013	15/05/2014	--	05/06/2014	15/06/2014
7	Imtiyaz Ahmad Riyaz Ahmad	29 Years 19/3/85	B.Sc. B.Ed	June 2011	15/05/2014	--	05/06/2014	16/06/2014
15	Sana Kausar Ashfaque Ahmad	26 Years 25/11/94	B.A. B.Ed English	B.Sc. B.Ed 15/07/2019	13/07/2019	English	22/07/2019	02/08/2019
10	Sheikh Aarif Ibrahim	31 Years 20/3/88	B.A. B.Ed Urdu	14/05/2018	13/07/2019	Urdu	22/07/2019	02/08/2019
16	Sariya Mohammad Tahir alias Sheikh Sariya Althaf Hussain	23 Years 23/11/90 27 Years 27/6/98	B.Sc. B.Ed B.Sc. B.Ed	05/06/2014 24/11/2020	15/05/2014 10/07/2020	-- Science	05/06/2014 25/07/2020	15/06/2014 03/08/2020
17	Ansari Sumaiya Shakeel Ahmad	23 Years 12/8/98	B.Sc. B.Ed	13/08/2021	Date not mentioned	Science	07/08/2021	23/08/2021
18	Tasneem Kausar Mohammad Amin	24 Years 6/9/98	B.Sc. B.Ed	13/08/2021	Date not mentioned	Science	07/08/2021	23/08/2021
19	Afreen Aafrin Mohammad Shafeeq	24 Years 16/10/99	B.P. Ed	December 2022	Date not mentioned	----	12/08/2023	1E/09/2023
20	Sumaiya Sadaf Mohammad Shafique	28 Years 8/3/93	B.Sc. B.Ed	13/07/2021	14/1/2021	English	27/08/2021	02/09/2021
08	Afaque Anjum Ashfaque Ahmad	29 Years 20/9/93	B.Sc. B.Ed Science, Math	14/09/2022	Date not mentioned	Science, Math	06/08/2022	17/08/2022
09	Faheem Ahmad Iqbal Ahmad	20 Years 1/12/99	B.Sc. B.Ed math	D.El.Ed 28/08/2019	13/07/2019	Math	22/07/2019	02/08/2019
21	Ansari Mariya Darakh Masood Ahmad							

PAWARWADI POLICE STATION — CR No. 181/2025
BNS Sections 318(4), 336(2), 338, 336(3), 340(2), 61(2), 316(4), 316(5), 238
Economic Offences Branch, Nashik Rural

CALENDAR OF EVIDENCE AGAINST 13 TEACHER-ACCUSED

Sr. No.	Anticipatory Bail / Bail Application No.	Name of Accused	Involvement in the Crime
1.	**ABA/3463/2025**	Aaliya Mohammd Mustafa Assistant Teacher	1. She is actually working as an Assistant Teacher in the said school since June 2024, whereas her appointment is shown retrospectively as having been made on 16/06/2014. Without performing work, she received salary of ₹55,78,998 from the Government. 2. Twenty-nine teachers of the said school have recorded statements that she has not actually been working as an Assistant Teacher in the said school since June 2024. 3. The Headmasters during the period of her purported appointment have stated that they did not join/induct her and had not seen her in the school. Statements under Section 183 of the BNSS have been recorded. 4. She colluded with the school management in preparing false records and participated in the conspiracy. 5. She received the differential salary amount in her account for the period during which she did not perform her duties and used it for her personal benefit. 6. Without working as a Shikshan Sevak, she obtained the post of Assistant Teacher through illegal means. 7. Her name is not included in the U-DISE system.
2.	**ABA/3463/2025**	Ansari Maria Draf Masood Ahmad -Assistant Teacher	1. She is actually working as an Assistant Teacher in the said school since June 2024, whereas her appointment is shown retrospectively as having been made on 02/08/2019. Without performing work, she received salary of ₹13,92,445 from the Government.

			2. Twenty-nine teachers of the said school have recorded statements that she has not actually been working as an Assistant Teacher in the said school since June 2024. 3.She colluded with the school management in preparing false records and participated in the conspiracy. 4.She received the differential salary amount in her account for the period during which she did not perform her duties and used it for her personal benefit. 5.Without working as a Shikshan Sevak, she obtained the post of Assistant Teacher through illegal means. 6. Her name is not included in the U-DISE system.
3.	**ABA/3463/2025**	Ansari Sumaila Shakeel Ahmad -Assistant Teacher	1. She is actually working as an Assistant Teacher in the said school since June 2024, whereas her appointment is shown retrospectively as having been made on 03/08/2020. Without performing work, she received salary of ₹11,33,613 from the Government. 2. Twenty-nine teachers of the said school have recorded statements that she has not actually been working as an Assistant Teacher in the said school since June 2024. 3.The Headmasters during the period of her purported appointment have stated that they did not join/induct her and had not seen her in the school. Statements under Section 183 of the BNSS have been recorded. 4.She colluded with the school management in preparing false records and participated in the conspiracy. 5.She received the differential salary amount in her account for the period during which she did not perform her duties and used it for her personal benefit. 6.Without working as a Shikshan Sevak, she obtained the post of Assistant Teacher

			through illegal means. 7.Her name is not included in the U-DISE system. 8.Despite an order that recruitment was stopped during the COVID period in 2020, her recruitment has been shown as having taken place.
4.	**ABA/3465/2025**	Sheikh Sariya Athar Husain - Assistant Teacher	1. She is actually working as an Assistant Teacher in the said school since June 2024, whereas her appointment is shown retrospectively as having been made on 16/06/2014. Without performing work, she received salary of ₹53,94,000 from the Government. 2. Twenty-nine teachers of the said school have recorded statements that she has not actually been working as an Assistant Teacher in the said school since June 2024. 3.The Headmasters during the period of her purported appointment have stated that they did not join/induct her and had not seen her in the school. Statements under Section 183 of the BNSS have been recorded. 4.She colluded with the school management in preparing false records and participated in the conspiracy. 5.She received the differential salary amount in her account for the period during which she did not perform her duties and used it for her personal benefit. 6.Without working as a Shikshan Sevak, she obtained the post of Assistant Teacher through illegal means. 7.Her name is not included in the U-DISE system.
5.	**ABA/3465/2025**	Sana Kausar Ashfaq Ahmad -Assistant Teacher	1.She is actually working as an Assistant Teacher in the said school since June 2024, whereas her appointment is shown retrospectively as having been made on 02/08/2019. Without performing work, she received salary of ₹18,37,445 from the Government. 2. Twenty-nine teachers of the

			said school have recorded statements that she has not actually been working as an Assistant Teacher in the said school since June 2024. 3. The Headmasters during the period of her purported appointment have stated that they did not join/induct her and had not seen her in the school. Statements under Section 183 of the BNSS have been recorded. 4. She colluded with the school management in preparing false records and participated in the conspiracy. 5. She received the differential salary amount in her account for the period during which she did not perform her duties and used it for her personal benefit. 6. Without working as a Shikshan Sevak, she obtained the post of Assistant Teacher through illegal means. 7. Her name is not included in the U-DISE system.
6.	**ABA/3465/2025**	Tasneem Firdous Mohammd -Assistant Teacher	1.She is actually working as an Assistant Teacher in the said school since June 2024, whereas her appointment is shown retrospectively as having been made on 23/08/2021. Without performing work, she received salary of ₹3,76,722 from the Government. 2. Twenty-nine teachers of the said school have recorded statements that she has not actually been working as an Assistant Teacher in the said school since June 2024. 3.She colluded with the school management in preparing false records and participated in the conspiracy. 4. She received the differential salary amount in her account for the period during which she did not perform her duties and used it for her personal benefit. 5. Without working as a Shikshan Sevak, she obtained

			the post of Assistant Teacher through illegal means. 6. Her name is not included in the U-DISE system.
7.	**ABA/3465/2025**	Sumaiya Sadaf Mohammad Hanif - **Assistant Teacher**	1.She is actually working as an Assistant Teacher in the said school since June 2024, whereas her appointment is shown retrospectively as having been made on 16/09/2023. Without performing work, she received salary of ₹46,334 from the Government. 2. Twenty-nine teachers of the said school have recorded statements that she has not actually been working as an Assistant Teacher in the said school since June 2024. 3. She colluded with the school management in preparing false records and participated in the conspiracy. 4.She received the differential salary amount in her account for the period during which she did not perform her duties and used it for her personal benefit. 5. Without working as a Shikshan Sevak, she obtained the post of Assistant Teacher through illegal means. 6. Her name is not included in the U-DISE system.
8.	**ABA/3484/2025**	Afifa Afrin Mohammad Amin **Assistant Teacher**	1. She is actually working as an Assistant Teacher in the said school since June 2024, whereas her appointment is shown retrospectively as having been made on 23/08/2021. Without performing work, she received salary of ₹4,65,717 from the Government. 2. Twenty-nine teachers of the said school have recorded statements that she has not actually been working as an Assistant Teacher in the said school since June 2024. 3. She colluded with the school management in preparing false records and participated in the conspiracy.

			4. She received the differential salary amount in her account for the period during which she did not perform her duties and used it for her personal benefit. 5. Without working as a Shikshan Sevak, she obtained the post of Assistant Teacher through illegal means. 6. Her name is not included in the U-DISE system.
9.	**BA/1580/2026**	Naeem Akhtar Sagir Ahmad - **Assistant Teacher** Arrested and presently in judicial custody	1. He is actually working as an Assistant Teacher in the said school since June 2024, whereas his appointment is shown retrospectively as having been made on 15/12/2012. Without performing work, he received salary of ₹49,21,315 from the Government. 2. Twenty-nine teachers of the said school have recorded statements that he has actually been working as an Assistant Teacher in the said school since June 2024. 3. The Headmasters during the period of his purported appointment have stated that they did not join/induct him and had not seen him in the school. Statements under Section 183 of the BNSS have been recorded. 4. He colluded with the school management in preparing false records and participated in the conspiracy. 5. He received the differential salary amount in her account for the period during which he did not perform his duties and used it for his personal benefit. 6. Without working as a Shikshan Sevak, he obtained the post of Assistant Teacher through illegal means. 7. His name is not included in the U-DISE system. 8. During 2018 to 2020, he

			was studying as a regular student for B.Ed. at Sardar College of Education, Malegaon. 9. The accused, Naeem Akhtar Sagir Ahmad, is an agent. The applicant/accused immediately transferred ₹46,00,000, being the differential amount received in his account, to the bank account of the said agent.
10.	**BA/1355/2026**	Imtiyaz Ahmad Riyaz Ahmad - **Assistant Teacher** Arrested and presently on bail	1. He is actually working as an Assistant Teacher in the said school since June 2024, whereas his appointment is shown retrospectively as having been made on 16/06/2014. Without performing work, he received salary of ₹54,77,000 from the Government. 2. Twenty-nine teachers of the said school have recorded statements that he has actually been working as an Assistant Teacher in the said school since June 2024. 3. The Headmasters during the period of his purported appointment have stated that they did not join/induct him and had not seen him in the school. Statements under Section 183 of the BNSS have been recorded. 4. He colluded with the school management in preparing false records and participated in the conspiracy. 5. He received the differential salary amount in his account for the period during which he did not perform his duties and used it for his personal benefit. 6. Without working as a Shikshan Sevak, he obtained the post of Assistant Teacher through illegal means. 7. His name is not included in the U-DISE system.
11.	**BA/1355/2026**	Afaque Anjum Ashfaq Ahmad - **Assistant Teacher** Arrested and presently in judicial custody	1. He is actually working as an Assistant Teacher in the said school since June 2024, whereas his appointment is shown retrospectively as having been made on 02/09/2021. Without performing work, he received salary of ₹4,62,927 from the Government.

			2. Twenty-nine teachers of the said school have recorded statements that he has actually been working as an Assistant Teacher in the said school since June 2024. 3. He colluded with the school management in preparing false records and participated in the conspiracy. 4. He received the differential salary amount in his account for the period during which he did not perform his duties and used it for his personal benefit. 5. Without working as a Shikshan Sevak, he obtained the post of Assistant Teacher through illegal means. 6. His name is not included in the U-DISE system. 7. Although the accused Afaque Ahmad was appointed at Jamhoor High School, Malegaon, under Anjuman Talim-e-Jamhoor from 02/09/2021 to 01/09/2024, he has been shown as working as a Shikshan Sevak at D Malegaon High School and Junior College, Malegaon.
12.	**BA/1355/2026**	Faheem Ahmad Iqbal Ahmad - **Assistant Teacher** Arrested and presently on bail	1. He is actually working as an Assistant Teacher in the said school since June 2024, whereas his appointment is shown retrospectively as having been made on 17/06/2022. Without performing work, he received salary of ₹2,99,387 from the Government. 2. Twenty-nine teachers of the said school have recorded statements that he has actually been working as an Assistant Teacher in the said school since June 2024. 3. He colluded with the school management in preparing false records and participated in the conspiracy. 4. He received the differential salary amount in his account for the period during which he did not perform his duties and used it for his personal benefit. 5. Without working as a Shikshan Sevak, he obtained

			the post of Assistant Teacher through illegal means. 6. His name is not included in the U-DISE system. 7. The accused obtained his B.Sc., B.Ed. degree on 14/09/2022, whereas he was appointed in the said school on 17/06/2022, i.e. before obtaining the degree.
13.	**BA/1355/2026**	Sheikh Arif Ibrahim - **Assistant Teacher** Arrested and presently in judicial custody	1. He is actually working as an Assistant Teacher in the said school since June 2024, whereas his appointment is shown retrospectively as having been made on 02/08/2019. Without performing work, he received salary of ₹18,37,962 from the Government. 2. Twenty-nine teachers of the said school have recorded statements that he has actually been working as an Assistant Teacher in the said school since June 2024. 3. The Headmasters during the period of his purported appointment have stated that they did not join/induct him and had not seen him in the school. Statements under Section 183 of the BNSS have been recorded. 4. He colluded with the school management in preparing false records and participated in the conspiracy. 5. He received the differential salary amount in his account for the period during which he did not perform his duties and used it for his personal benefit. 6. Without working as a Shikshan Sevak, he obtained the post of Assistant Teacher through illegal means. 7. The accused Sheikh Arif Ibrahim worked as a Shikshan Sevak and honorary employee at Crescent Urdu High School, Malegaon, from 01/07/2019 to 31/03/2020, and also received salary during the said period.

Pawarwadi Police Station Crime No. 181/2025 Sections: 318(4), 336(2), 338, 336(3), 340(2), 61(2), 316(4), 316(5), 238 BNS

Case Overview: Between 2012 and 2024, at The Malegaon High School and Junior College (run by Anjuman Moinu Tulba, Malegaon), 13 bogus teachers were illegally recruited on a 100% grant-in-aid basis. Fraudulent arrears amounting to ₹2,69,56,194/- were wrongfully drawn from the government from their fake appointment dates. Based on the complaint of a senior female teacher whose seniority was bypassed, the case was registered on 27/07/2025 against the accused listed below.

Calendar of Evidence

Sr. No.	Bail Application No.	Accused Name	Role/Involvement in Offence	Page in Compilation
1.	ABA/ 2322/2025	**Mohammad Ishaq Khalil Ahmad** (Chairman)	1. Serves as Society Chairman (named in FIR). 2. Authorized to appoint teachers. 3. Sent 13 teacher appointment orders for approval. 4. Bypassed seniority of complainant and others for not paying donations; fabricated backdated appointment documents for 13 non-donating/donating individuals and submitted them under his signature. 5. Statements of 29 teachers confirm these 13 bogus teachers were not in school from their alleged appointment dates and only appeared physically in June 2024. 6. Headmasters froms the appointment period gave statements under Sec 183 BNSS confirming they never joined or taught. 7. Remained in continuous contact with agent accused. 8. Facilitated the embezzlement of ₹2,69,56,194/- in government funds using fake staff approvals.	1 to 4 4-34 5-34 35-46 147 154
2.	ABA/ 2503/2025	**Jahid Hussain Mohammad Ali** (Principal)	1. Works as Principal (named in FIR). 2. Approved salary/arrears bills (as DDO) for 13 bogus teachers. 3. Submitted full proposal packages (appointment orders, interview/marking sheets, qualifications, ads, joining reports, staff approval, minority orders). 4. Signed fake attendance registers and service books. 5. Attested fake documents and forwarded them to the education department. 6. Statements from 29 teachers confirm these 13 teachers were not in school until June 2024. 7. Statements under Sec 183 BNSS from former headmasters confirm they never reported or taught. 8. Maintained frequent contact with the agent accused. 9. Assisted in embezzling ₹2,69,56,194/- using fake documents.	1-4 5-34 35-46 154
3.	ABA/ 2361/2025	**Nasir Hussain Mohammad Ali** (Clerk)	1. Works as a Clerk in the school (named in FIR). 2. Prepared fake attendance registers and service books for Accused Nos. 6–10 & 14–21. 3. Entered false log entries from 2012 to June 2024. 4. Prepared Shikshan Sevak/Regular Teacher approval proposals using fake documents. 5. Prepared fake salary arrears bills. 6. Assisted in getting fake arrears bills processed. 7. Conspired with co-accused to embezzle government funds despite knowing appointments were fraudulent. 8. Statements of 29 teachers confirm bogus	1-4 5-34

			teachers were not in school until June 2024. 9. Headmaster statements under Sec 183 BNSS confirm they were never joined. 10. Transferred ₹15 Lakh via RTGS to purchase a Mahindra XUV 3XO for Accused No. 13 (Uday Deore, Deputy Education Officer); vehicle seized. 11. Assisted in embezzling ₹2,69,56,194/-. 12. Maintained active contact with the agent accused.	35-46 147
4.	ABA/ 2360/2025	**Abu Huraira Mohammad Ibrahim** (Senior Clerk)	1. Works as Senior Clerk (named in FIR). 2. Prepared fake attendance registers and service books for Accused Nos. 6–10 & 14–21. 3. Made false entries for 2012 to June 2024. 4. Prepared Shikshan Sevak/Regular Teacher proposals on bogus documents. 5. Prepared fake arrears bills. 6. Assisted in processing fake arrears approvals. 7. Conspired to embezzle funds knowing the documents were fake. 8. Statements of 29 teachers confirm bogus teachers were not in school until June 2024. 9. Statements under Sec 183 BNSS confirm they never taught or joined. 10. Assisted in embezzling ₹2,69,56,194/-.	1-4 5-34 35-46 154
5.	ABA/ 3463/2025	**Aalia Mohammad Mustafa** (Assistant Teacher)	1. Physically active as Assistant Teacher only from June 2024, but backdated appointment shown as 16/06/2014. Wrongfully drew ₹55,58,998/- in salary. 2. Statements of 29 teachers confirm physical presence only from June 2024. 3. Former headmasters confirmed via Sec 183 BNSS statements that she never joined or taught. 4. Conspired with management to create fake records. 5. Used unearned salary/arrears funds deposited in her bank account for personal benefit. 6. Illegally obtained the Assistant Teacher post without performing Shikshan Sevak duties.	154 5-34 35-46 154 5-34
6.	ABA/ 3463/2025	**Ansari Maria Durruf Masood Ahmed** (Assistant Teacher)	1. Active physically from June 2024; backdated appointment shown as 02/08/2019. Wrongfully drew ₹13,92,445/-. 2. 29 teacher statements confirm presence only from June 2024. 3. Sec 183 BNSS statements confirm she never joined or taught. 4. Conspired to generate fake records. 5. Used unearned salary arrears for personal gain. 6. Illegally obtained post without performing Shikshan Sevak duties.	154 5-34 35-46 154 5-34
7.	ABA/ 3463/2025	**Ansari Sumaila Shakeel Ahmed** (Assistant Teacher)	1. Active physically from June 2024; backdated appointment shown as 03/08/2020. Wrongfully drew ₹11,33,613/-. 2. 29 teacher statements confirm presence only from June 2024. 3. Sec 183 BNSS statements confirm she never joined or taught. 4. Conspired to generate fake records. 5. Appropriated unearned salary arrears into personal account. 6. Illegally obtained post without performing Shikshan Sevak duties.	154 5-34 35-46 154 5-34
8.	ABA/ 3465/2025	**Sheikh Sariya Athar Hussain** (Assistant Teacher)	1. Active physically from June 2024; backdated appointment shown as 16/06/2014. Wrongfully drew ₹53,94,000/-. 2. 29 teacher statements confirm presence only from June 2024. 3. Sec 183 BNSS statements confirm she never joined or taught. 4. Conspired to generate fake records. 5. Used unearned salary arrears for personal gain. 6. Illegally obtained post without performing Shikshan Sevak duties.	154 5-34 35-46 154 5-34
9.	ABA/ 3465/2025	**Sana Kausar Ashfaque Ahmed** (Assistant Teacher)	1. Active physically from June 2024; backdated appointment shown as 02/08/2019. Wrongfully drew ₹18,37,445/-. 2. 29 teacher statements confirm presence only from June 2024. 3. Sec 183 BNSS statements confirm she never joined or taught. 4. Conspired to generate fake records. 5. Appropriated unearned salary arrears into personal account. 6. Illegally obtained post without performing Shikshan Sevak duties.	154 5-34 35-46 154 5-34
10.	ABA/ 3465/2025	**Tehseen Firdous Mohammad** (Assistant Teacher)	1. Active physically from June 2024; backdated appointment shown as 23/08/2021. Wrongfully	154

			drew ₹3,76,522/-. 2. 29 teacher statements confirm presence only from June 2024. 3. Sec 183 BNSS statements confirm she never joined or taught. 4. Conspired to generate fake records. 5. Appropriated unearned salary arrears for personal gain. 6. Illegally obtained post without performing Shikshan Sevak duties.	 5-34 35-46 154 5-46
11.	ABA/ 3465/2025	**Sumayya Sadaf Mohammad Hanif** (Assistant Teacher)	1. Active physically from June 2024; backdated appointment shown as 16/09/2023. Wrongfully drew ₹3,46,334/-. 2. 29 teacher statements confirm presence only from June 2024. 3. Sec 183 BNSS statements confirm she never joined or taught. 4. Conspired to generate fake records. 5. Appropriated unearned salary arrears for personal gain. 6. Illegally obtained post without performing Shikshan Sevak duties.	154 5-34 35-46 154 5-34
12.	ABA/ 3484/2025	**Afeefa Aafreen Mohammad Amin** (Assistant Teacher)	1. Active physically from June 2024; backdated appointment shown as 23/08/2021. Wrongfully drew ₹4,65,517/-. 2. 29 teacher statements confirm presence only from June 2024 3. Sec 183 BNSS statements confirm she never joined or taught. 4. Conspired to generate fake records. 5. Appropriated unearned salary arrears for personal gain. 6. Illegally obtained post without performing Shikshan Sevak duties.	154 5-34 35-46 154 5-35

9. The above Charts shows that, insofar as the teachers namely, Naeem Akhtar Sagheer Ahmed, Aaliya Mohammed Mustafa, Imtiyaz Ahmed Riyaz Ahmed, Sana Kauser Ashfaque, Shaikh Arif Ibrahim, Sariya Mohammad Tahir @ Shaikh Sariya Athar Hussain, Ansari Sumaila Shakeen Ahmed are concerned, all of them were appointed during the tenure of different Headmasters during the period of 2012 to 2019 and all these Headmasters have given the statements that these accused were never appointed as teachers during their tenure and they have not seen them teaching when they were the Headmasters. The Headmaster appointed after 2019 is also accused in the present case.

10. Perusal of the prosecution papers submitted to the Court shows that all these headmasters have stated that these persons were never appointed by them and they had never worked as teachers during their respective tenures. 29 teachers who are working in the said school, most of whom have been working since the year 2013, have also given statements to the effect that before 2024 these teachers were never seen to be working in the said school and they were appointed only in the year 2024.

11. There is also other material on record which shows that some of the teachers were working in different schools during the period when they have been shown as serving in the subject school or that they acquired requisite qualification only after the dates on which they have been shown to be appointed. However, as the case is still under investigation, and, therefore, it it not necessary to discuss the material on record in detail at the stage of consideration of applications seeking anticipatory bail.

12. However, *prima facie*, it can be seen that, after the sanctioned strength of the school was restored/increased to 69 and the same was finalized on 19th January 2024 and the benefit of

the same was given retrospectively from the academic year 2014–15, all these appointments were made in the year 2024, however, record is created of their appointment from the year 2012 onwards from the respective dates as mentioned in the Chart.

13. Although it is the contention of the Applicants that all these appointments were made by the school committee of which the Headmasters are also part, the respective headmasters/principals have given the statement that these teachers were never appointed during their respective tenures and that they had never worked in the school during that period. There is extensive material on record showing that the Applicants are involved in the crime where the Government has been defrauded for huge amount. As there is *prima facie* material against the Applicants, no case is made out for grant of anticipatory bail.

14. Accordingly, all these Anticipatory Bail Applications are rejected.

[MADHAV J. JAMDAR, J.]