



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

37 ANTICIPATORY BAIL APPLICATION NO. 189 OF 2024

NARAYAN DAMODHAR PADALE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Ravindra Vitthal Gore

APP for Respondent/State: Mr. S. P. Sonpawale

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 27th JANUARY, 2025

PER COURT:

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with Crime No.329/2023, dated 11.09.2023, registered at Bidkin Police Station, Taluka Paithan, District Aurangabad, for the offences punishable under Sections 420, 403, 406, 408, 409, 465, 468, 471, 34 of the IPC.

3. This court by order dated 22.01.2024, passed in ABA/1675/2023 has granted anticipatory bail to the Sarpanch in the same FIR.

The allegations against the Sarpanch, so also, against the present applicant – Gramsevak are identical that during the period 19.11.2017 to 18.11.2022 the objections were raised against the applicant i.e. getting work done by JCB instead of 82 labourers under

the Maharashtra Rural Employment Guarantee Scheme, e-auction policy was not followed and different cheques were given to single supplier on same day, permission of CEO was not obtained for allotment of shops, non-holding of Gramsabha between 31.08.2018 to 25.11.2019 and benefit of Pradhan Mantri Awas Yojna given to some other person than the beneficiary in the waiting list. Pursuant to which explanation was called from the Sarpanch and the present applicant, which was not found satisfactory and the FIR was registered.

4. This court having considered the allegations made against the Sarpanch and having considered the material available has granted protection to the Sarpanch. Considering the order passed by this court in the case of Sarpanch, it would apply to the present applicant also. It is stated that the applicant has cooperated with the investigation. The applicant was also further directed by order dated 14.10.2024 to attend the police station and that he had attended the police station. The charge-sheet is filed in the matter.

5. In view of the above, the interim protection granted by order dated 04.04.2024 stands confirmed, on the following terms:

- i] The applicant shall attend the police station as and when required by the Investigating Officer.
- ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

6. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

7. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

marathe