



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1138 OF 2025

1. Arun Shriram Thakare
 2. Gowardhan Laxman Gawande
 3. Prashant Gowardhan Gawande
- ... Applicants*

Versus

The State of Maharashtra

... Respondent

...

- Mr. A. S. More, Advocate h/f. Mr. M. K. Jadhav, Advocate for Applicants
- Mr. K. N. Lokhande, APP for Respondent - State

...

CORAM : MEHROZ K. PATHAN, J.

DATED : 04.11.2025

PER COURT :

1. The applicants have filed the present application seeking Anticipatory Bail in connection with FIR bearing Crime No. 290 of 2025, dated 24.05.2025, registered at Hingoli Rural Police Station, Tq. & Dist. Hingoli, for the offences punishable under Section 406, 420, 467, 471, 504, 506 read with Section 34 of the Indian Penal Code, 1860 and under Sections 4 and 25 of the Arms Act, 1959.

2. The case of the prosecution is that the complainant has alleged that the applicants have conspired amongst themselves to cheat the informant on the false pretext of providing employment in the

Mantralaya and, in furtherance of such conspiracy, prepared forged documents, including a fabricated selection list showing that the complainant has been selected for appointment. The complainant was allegedly compelled to pay an amount of Rs. 12,30,000/- into the account of the applicants, and the said amount was transferred through RTGS to the account of *Arun Thakare* – Applicant No. 1 herein.

3. The submission of learned counsel for the applicants is that an identical offence was earlier registered against the applicant Nos. 1 and 2 *Arun* and *Gowardhan*, along with (wife of *Arun Thakare*), in earlier FIR No. 257 of 2023, registered at Hingoli Police Station, wherein identical allegations of cheating the complainant were made by the informant - *Gajanan Gaikwad*, therein.

4. It is the contention of learned counsel for the applicants that accused *Sachin Cheke*, *Gowardhan Gawande*, and *Manisha Thakare* were already released on anticipatory bail, while *Arun Thakare* was arrested and subsequently released on regular bail. Learned counsel for the applicants relies upon the order of this Court dated 17.07.2023, passed in Anticipatory Bail Application Nos. 1126 of 2023 and 984 of 2023, granting anticipatory bail to *Gowardhan Gawande* and *Sachin Cheke*. He submits that the observations of this

Court in the said order would clearly demonstrate that the applicants are again falsely implicated in the present FIR, by the complainant – *Namdeo Gadekar*, even though his statement was already recorded in the earlier FIR as one of the victims.

5. The learned counsel for the applicants further relies upon the statement of *Namdeo Gadekar*, which forms part of the charge-sheet in FIR No. 257 of 2023, to show that the allegations in the present FIR No. 290 of 2025, registered at Hingoli Rural Police Station, are verbatim identical to the statement of the complainant – *Namdeo Gadekar* in the earlier case. Since the applicants have already been granted relief in the earlier Crime No. 257 of 2023, the applicants therefore, seek protection in the present case, which is registered by complainant – *Namdeo Gadekar*.

6. It is further submission of the learned counsel for the applicants that the accused – *Arun Thakare* and his wife – *Manisha Thakare* had made an attempt to return the amounts allegedly taken by the applicants, and a sale deed was executed by Manisha Thakare in favour of the *Gajanan Gaikwad*, who is the informant in Crime No. 257 of 2023, wherein the present complainant – *Namdeo Gadekar* is also a witness on the sale deed. The learned counsel therefore, prays for protection against arrest during the trial.

7. As against this, the learned APP appearing for the State submits that the applicants are part of the racket engaged in cheating innocent citizens by inducing them to part with substantial sums of money under the false assurance of securing Government employment. He further relies upon the statements of other victims, namely Kantaram Gawali and his son Akash Gawali, recorded during the investigation to demonstrate that large amounts were extracted by the applicants from them as well as on similar assurances of providing Government jobs. It is further submitted by the learned APP that the bank account records reveal that substantial sums were deposited not only by the complainant – *Namdeo Gadekar* but also by other victims into the account of *Arun Thakare* and other applicants.

8. I have considered the record of the present FIR, and the investigation papers and the documents pertaining to the earlier FIR No. 257 of 2023, registered at Hingoli Police Station. Perusal of the statement of *Namdeo Gadekar* in the earlier FIR would indicate that verbatim allegations were already under consideration of the same police station, wherein the documents of transactions were already recovered during the course of the investigation in the earlier crime. The applicant *Arun* was also arrested and released on bail in the earlier Crime No. 257 of 2023, while the other co-accused *Manisha*, *Sachin* and *Gowardhan* were granted Anticipatory bail by this Court.

9. One of the anticipatory bail orders granted to *Gowardhan Gawande* and *Sachin Cheke* (ABA Nos. 1126 of 2023 and 984 of 2023, dated 17.07.2023) is annexed to the present application. A perusal of the said order reveals that there are serious doubts created by the prosecution story. However, at this stage, it is not necessary to enter into the merits of the allegations in depth. Since the circumstances are substantially similar, the applicants can be protected on the same lines as the earlier order dated 17.07.2023 passed by this Court in ABA Nos. 1126 and 984 of 2023.

10. Without observing anything on the merits of the sale deed, executed by *Manisha Thakare* in favour of *Gajanan Gaikwad*, wherein the present informant *Namdeo Gadekar* is a witness, it would be appropriate to leave the evaluation of such evidence to the trial Court. However, I am inclined to protect the present applicants during the trial. Hence, I pass the following order :-

ORDER

A) In the event of arrest of the applicants in connection with FIR bearing Crime No. 290 of 2025, dated 24.05.2025, registered at Hingoli Rural Police Station, Tq. & Dist. Hingoli for the offences punishable under Section 406, 420, 467, 471, 504, 506 r/w. Section 34 of the Indian Penal Code, 1860 and under Sections 4 and 25 of the Arms Act, 1959, the applicant shall be released on bail on furnishing

PR Bond of Rs. 50,000/- (Rupees Fifty Thousand only) each, with one or two sureties in the like amount.

- B) The applicants are directed to attend the concerned Police Station and report to the Investigating Officer between 11:00 a.m. and 01:00 p.m. on every Monday and Thursday, and as and when called, until the filing of the charge-sheet.
- C) The applicants shall also cooperate with the investigation and produce all relevant documents as may be sought by the Investigating Officer for the purpose of completing the investigation.
- D) The applicants shall not tamper with the prosecution evidence or attempt to influence or threaten any witness in any manner. A single incident of such conduct would entitle the prosecution to seek cancellation of the bail granted to the present applicants.

11. The Anticipatory Bail Application is disposed in the aforesaid terms.

(MEHROZ K. PATHAN, J.)