



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

930 ANTICIPATORY BAIL APPLICATION NO. 1312 OF 2025

Mangesh Madhukar Wagh

..Applicant

Versus

The State of Maharashtra And Another

..Respondents

.....

Shri. Amol Sudam Mali, Advocate for the Applicant

Shri. N. D. Batule, APP for the Respondent – State.

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CORAM : NEERAJ P. DHOTE, J.

Dated : OCTOBER 16, 2025

PER COURT :-

. Heard the learned Advocate for the Applicant and the learned APP for the State. Perused the papers made available by the learned APP.

2. Crime No.0028/2025 came to be registered with Sindkheda Police Station, Dist. Dhule for the offence punishable under Sections 420, 409, 406, 465 of the Indian Penal Code, 1860. The said Crime is registered on the Report lodged by the Extension Officer of the Panchayat Samiti, Sindkheda.

3. It is the case of the Prosecution that, from 01.04.2019 till 31.05.2020 there was defalcation of public fund in connection with construction of toilets for the villagers of Grampanchayat Mahalpur under the Swachh Bharat Mission. Under the said scheme, Rs.12,000/- were earmarked for the beneficiary for construction of the one toilet block. 70 beneficiaries were entitled for the said benefit. It was noticed

that, though the toilet blocks were not constructed for some of the beneficiaries, the amount for the same was paid to the Contractor. During the enquiry by the Block Development Officer, it was revealed that, the Applicant and the Co-accused who were the Gramsevak and Sarpanch, respectively, of the said village, were responsible for the defalcation and illegalities and the amount was transferred in the account of the son of the Co-accused.

4. The Applicant is the Public Servant and at the relevant time was the Gramsevak of the said Mahalpur Grampanchayat in Sindkheda Taluka. The amount under the said Scheme which was deposited in bank account of the Grampanchayat was paid to the son of the Co-accused by way of cheque under the signature of the Applicant and the Co-accused. Due to the expiry of the term of the Sarpancha, there was administrator for the said Grampanchayat. However, the cheques were signed by the Applicant and the Co-accused. The papers show that, detailed enquiry was conducted by the Block Development Officer and he submitted the Report to the Deputy Chief Executive Officer of the Zilla Parishad, Dhule dated 10.08.2022 finding the Applicant's involvement in the matter. There is copy of the communication dated 27.01.2023 by the Applicant to the Block Development Officer, Panchayat Samiti, Sindkheda accepting some of the findings of the enquiry report and showing his readiness to deposit the amount of

Rs.2,22,000/- which was shown against him by the authorities. *Prima facie* case is seen against the Applicant in the present Crime. Considering the nature of the offence, I am inclined to exercise the discretion under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and hence the following order.

ORDER

- (i) The Application stands rejected.

(NEERAJ P. DHOTE, J.)

GGP