

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1968 OF 2025

Sushil Alias Sushilkumar Dinkar Jadhav

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Hiwrale Gautam J

APP for Respondent/State : Mr. S.G. Sangle

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CORAM : MEHROZ K. PATHAN, J.

DATED : NOVEMBER 18, 2025

PER COURT :

1. Heard Mr. Hiwrale, learned counsel for the applicant and learned APP for the State.
2. The applicant has approached this Court seeking regular bail in Crime No.453/2025 registered with Ambad Police Station, District Jalna for the offences punishable under Sections 316(4), 316(5), 318(4), 324(5), 336(3), 338, 339, 340(2), 238, 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 52, 53 of the Disaster Management Act, 2005.
3. The F.I.R. is filed by Shri Vilas Malhari Komatwar, who is Assistant Revenue Officer, Sub-Divisional Officer, Ambad thereby stating that the inquiry was conducted into the allegations about wrong disbursement of the Disaster Relief Fund by the government, Maha DBT Portal. Upon receiving such complaint, the Collector has constituted three members committee to inquire into the allegations

and fraudulent disbursement of amount to the farmers to the tune of Rs.24 Crores. After conducting a detailed inquiry into the disbursement proposal from the year 2023-24 to various farmers in the Jalna District, the applicant was found to be one of the 28 accused, who was held to be responsible by the 3 member committee for fraudulent disbursement of the Disaster Relief Fund to the farmers, who were not entitled for the same and also in some cases fake beneficiaries who were not in existence.

4. Learned counsel for the applicant submits that the applicant was merely working as Data Operator in the Tehsil Office at Ambad and was required to update the information as provided by various revenue officers who were working on field. The applicant had already undergone police custody after being arrested on 11.09.2025 and nothing remained to be recovered at the instance of the applicant. The applicant had also shown his bonafides while the three members committee was inquiring the charges by depositing some amounts which were due for recovery at the instance of the present applicant. The amounts were disbursed to various farmers only upon the information provided by the Talathi's and Kotwals. The applicant being data operator has merely uploaded the same by using Login ID of the Tehsil Office Ambad, which was a daily job of the applicant, he being given the responsibility of working in the Tehsil Office as data operator. He further submits that as the investigation

as against the applicant is already completed and the applicant is behind bars from 11.09.2025, further incarceration of the applicant may not be necessary.

5. As against this, learned APP Shri Sangle vehemently opposes the application and submits that a huge fraud was unearthed after a three member committee was constituted to inquire into the allegations of fraudulent disbursement of the Disaster Relief Fund declared by the State of Maharashtra. The applicant and other officials who were having the responsibility of disbursement of amount to the genuine farmers, who had suffered the disaster, connived with each other and caused recovery loss to the government as well as to the farmers. He further submits that statements of various witnesses recorded during the course of investigation also reveals name of the applicant to be pivotal in committing fraud along with other accused persons. The applicant has misused the Login Id of Tehsil Office Ambad and has updated the information about farmers who were not even in existence. Some of the farmers are found to be relatives of the accused persons and without verifying the details of such farmers, the applicant has updated the information only with an intention of wrongful gain and siphoning the huge amount meant for the genuine farmers, who were facing the disaster. The investigation is yet to be completed and if the applicant is released on bail, there is every likelihood that the applicant may

tamper with the prosecution evidence and would cause great prejudice to the prosecution case, the applicant having being played an important role of updating the information and false data, with an intention to cheat the farmers and the government, the application be rejected.

6. I have gone through the allegations in the F.I.R. and also the statements and observations of the inquiring committee constituted by the Collector in the aforesaid case. Perusal of F.I.R. as well as the statement of various witnesses including witness Mahendra Girne, who was Naib Tehsildar working with the Tehsil Office Ambad makes out some role of the present applicant to be one of the accused, who were involved in systematic fraud committed with the connivance of all the accused persons. The investigation is yet to be completed. However, it is found that other accused persons namely Sahebrav and Manoj have already been released on bail by the Sessions Court by order dated 15.10.2025. Perusal of order dated 15.10.2025 passed by the learned Additional Sessions Judge, Ambad would show that accused Manoj is the Kotwal working with the Tehsil Office Ambad and from the record itself it is revealed that the field officer such as Kotwals and Talathi's were also given the duty of collecting the data of actual farmers, who are in need of the disaster relief fund. The Kotwals and Talathi's working in the field were responsible for giving information to the data operators working in

the Tehsil Office, so as to upload the same. The statement of Mahendra Girne would also show that the data was uploaded with the assistance of Rameshwar Barhate, who is an employee working with the Tehsil Office Ambad. The data was uploaded upon information provided by the Talathi's and Kotwals, who were working in the field. Even though the role of the applicant is made out, however, looking to the fact that the applicant is already arrested 11.09.2025 and that the investigation in so far as the applicant is already completed, I do not see any impediment in releasing the applicant on bail. However, the apprehension of the learned APP that the applicant may tamper with the prosecution evidence, can very well be taken care of by imposing stringent conditions on the applicant. Hence, the following order :

ORDER

(i) Applicant – Sushil @ Sushilkumar Dinkar Jadhav, be released on regular bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousand) with one or two local solvent sureties in the like amount, in connection with the above crime on the following conditions :

(a) The applicant is directed to attend the concerned police station and report to the Investigating Officer between 12:00 p.m. to 02:00 p.m. on Monday and Thursday of every week till framing of charge and shall cooperate the Investigating Officer to trace the money trail of the misappropriated amount.

(6)

(b) The applicant shall attend each and every date of the Trial Court without fail unless exempted by the Trial Court on emergent consideration.

(c) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

(d) Single violation of the conditions shall entitle the prosecution to seek cancellation of bail.

(e) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.

(f) The applicant shall not leave the country without seeking permission of the Trial Court.

(g) The application stands disposed of.

(MEHROZ K. PATHAN, J.)