

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1409 OF 2024

Pawan Rajesh Mehattar	Applicant
Versus	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 1031 OF 2024**

Dadoji @ Rajesh Suryakant Jadhav	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Sangram Desai a/w Mr. Sainath S. Garade, Mr. Yogesh A. Shukla
i/b Mr. Aadesh Konde-Deshmukh, Advocate for the Applicants in both
Applications.

Mr. T. G. Khan, A.P.P. for the Respondent – State.

Ms. Mukta M. Bhosale, (A.P.I.), EOW, Sindhudurg, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	21st JANUARY, 2025.

P.C.:

1. As both these applications for anticipatory bail are arising out of one of the same crime they are being disposed of this common order.

2. The applicants are apprehending their arrest in Crime No.44 of 2019 registered at Sawantwadi Police Station for the

offence under Sections 406, 420, 465, 467, 468, 471 read with Section 34 of Indian Penal Code, 1860.

3. The applicant in Anticipatory Bail Application No.1409 of 2024 was the Chairman of Kalikamandir Magasvargiya Audyogik Sahakari Sanstha Maryadit and the Applicant in Anticipatory Bail Application No.1031 of 2024 was it's Secretary. The allegations against the present applicants are of misappropriation of government grant to the tune of Rs.1,26,59,820/-.

4. The learned counsel for the applicants submits that the grant in question was used for construction of the building. It is submitted that there is certificate issued by the Assistant Engineer of P.W.D. to that effect. It is submitted that the applicants came to be exonerated of the alleged charge of misappropriation in re-audit.

5. On the other hand, the learned A.P.P. for the Respondent State submits that the misappropriation was detected during audit. It is submitted that considering the nature of offence, the applicants may not be released on anticipatory bail.

6. This Court by interim order/s has protected the present applicants from arrest. The applicants were directed to attend the concerned Police Station. There is no complaint that applicants have not co-operated in the investigation. Even otherwise there appears to be no need of custodial interrogation. Considering the overall facts and circumstances and in view of the certificate issued by P.W.D., I am inclined to release the applicants on anticipatory bail. In the result following order is passed.

ORDER

- (a) Both the Anticipatory Bail Applications are allowed;
- (b) Interim orders passed by this Court dated 06.08.2024 in Anticipatory Bail Application No.1409 of 2024 and dated 22.04.2024 in Anticipatory Bail Application No.1031 of 2024 are hereby confirmed;
- (c) The applications are disposed of accordingly.

(N. R. BORKAR, J.)