

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2447 OF 2025

Sanket Subhash Singar	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Mohsin Sayyed a/w Mr. Ajay Jaybhay, Advocate for Applicant.
Mr. S.M. Yadav, APP for the State.
Senior PI, Ramdas Shelake, E.O.W., Nashik City present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 1st October 2025

P.C.:

1. Heard Mr. Sayeed, learned Counsel appearing for the Applicant and Ms. Yadav, learned APP for the State.

2. The Applicant is seeking pre-arrest bail in connection with C.R. No.72 of 2025, registered with Gangapur Police Station, Nashik for the offences punishable under Sections 318(4), 316(5), and Section 316(2) of the Bharatiya Nyaya Sanhita, 2023 (“**B.N.S.**”).

3. As per the prosecution case the Government of Maharashtra has launched a program called as the Chief Minister Employment

Generation Program ("CMEGP") for generation of self employment opportunities through establishment of micro and small enterprises in production, service, agriculture related businesses etc. by providing financial assistance upto Rs.50.00 Lakhs to individual entrepreneurs.

4. The allegation against the present Applicant is that although no such micro or small enterprise was started, fraudulently and by producing forged and fabricated documents, representation was made that such business has been started and therefore fraudulently subsidy of Rs.17,50,000/- has been paid by the Government of Maharashtra. It is further case of the prosecution that although the Applicant is involved in the crime, the application under said Chief Minister Employment Generation Program was filed by the Applicant through his wife. The report given by the Inspector of Industries, District Industries Centre, Nashik states that no such micro or small enterprise unit as allegedly started has been found at the concerned plot. The material on record prima facie shows that no such micro or small enterprise has been started and fraudulent documents are

submitted to make show of setting up such alleged micro or small enterprise for getting subsidy of Rs.17,50,000/-.

5. The Supreme Court in the case of **Nikita Jagannath Shetty alias Nikita Vishwajeet Jadhav Vs. State of Maharashtra**¹ has held that the Anticipatory Bail is an exceptional remedy and ought not to be granted in a routine manner. There must exist strong reasons for extending indulgence of this extraordinary remedy to a person accused of grave offence. It has been further held that while exercising power to grant pre-arrest bail, the Court has to be cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to tampering or distraction of the evidence. These observations of the Supreme Court are squarely applicable to the present case.

5. Accordingly, no case is made out for grant of anticipatory bail to the Applicant. The Anticipatory Bail Application is rejected.

(MADHAV J. JAMDAR, J.)

BHALCHANDRA
GOPAL
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1 (2025) SCC OnLine SC 1489

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