



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.426 OF 2025
(Ashwin s/o Chandrakant Jadhav and anr. Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. N.R. Tekade, Advocate for the applicants.
Mr. M.J. Khan, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 9, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.81/2025 registered with Police Station Murtizapur, Taluka Murtizapur, District Akola for the offence punishable under Sections 420, 465, 468, 504 and 506 read with Section 34 of the Indian Penal Code, 1860, the applicants approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by the informant on an allegation that the co-accused has lured the various villagers that he would provide them a land under the scheme of Karmvir Dadasaheb Gaikwad Sabalikaran and Swabhiman Yojna and collected the amount of Rs.50,000/-, Rs.30,000/- from the various villagers i.e. 174 in numbers. On the basis of the said report, police have registered the crime against the present applicants.

3. Learned Counsel for the applicants submitted that as far as applicant No.1 is concerned who is serving as office boy with the co-accused, applicant No.2 is the

driver. Thus, their role is only to the extent of their presence along with other co-accused. Except that there is no other material to connect them with the alleged offence. Their custodial interrogation is not required.

4. Learned APP strongly opposed the application and invited my attention towards the screenshot which shows that applicant No.1 has received the amount in his account. Thus, he is the beneficiary of the said transactions. In view of that, his custodial interrogation is required.

5. On hearing both the sides and on perusal of the investigation papers it reveals that applicant No.1 is the beneficiary of the whatever transaction the other co-accused entered into with the villagers. In all 174 villagers are duped by obtaining the money from them on a pretext of providing them a land under the said scheme. As far as applicant No.2 is concerned at this stage, except the statements of the witnesses that he was present at the time of meeting no other material is there. In view of that, applicant No.2 can be protected by granting anticipatory bail by imposing certain conditions. Accordingly, I proceed to pass the following order.

- (i) The application is partly allowed.
- (ii) The prayer of applicant No.1 for grant of anticipatory bail is hereby rejected.
- (iii) In the event of the arrest, the applicant No.2 - Mohd. Saleem Shaikh Akbar in

connection with Crime No.81/2025 registered with Police Station Murtizapur, Taluka Murtizapur, District Akola for the offence punishable under Sections 420, 465, 468, 504 and 506 read with Section 34 of the Indian Penal Code, 1860, be released on anticipatory bail, on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iv) The applicant No.2 shall attend the concerned police station once in a week i.e. on every Tuesday between 10.00 AM and 1.00 PM and shall cooperate with the investigating agency.

(v) The applicant No.2 shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

(vi) The applicant No.2 shall attend the proceedings before the trial Court without seeking any exemption unless there are exceptional circumstances.

6. The contravention of any of the condition would lead to the cancellation of bail.

7. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)