



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 315 OF 2025

Premanand Shamrao Manwar 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. P.S. Wathore, counsel for applicant.

Mr. V.A.Thakare, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 09/07/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No.270/2025 registered with Police Station Risod, District Washim for the offence punishable under Sections 409 and 420 read with Section 34 of the Indian Penal Code, 1860, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of a report lodged by Pandhari Chima Chavhan alleging that present applicant, who is the Gram Sevak of Manvar, and the other co-accused, who was in charge as Sarpanch, have committed the misappropriation of Rs. 21,34,000/-. On the basis of the said report, a committee was formed, and inquiry came to be conducted by Three Officers Committee consisting of the Development Officer, Block Development Officer, and Engineer of Panchayat Samiti Risod. They have

directed Account Officer Zilla Parishad Washim to submit a report and, on conducting the inquiry, found involvement of the present applicant in misappropriation of the amount. On the basis of the report, police have registered the crime against the present applicant.

3. Heard learned counsel for the applicant, who submitted that as far as the entire investigation is concerned, it revolves around the documentary evidence. The custodial interrogation of the present applicant is not required. He submitted that, in fact, no specific role is attributed to the present applicant, the other co-accused who was in-charge Sarpach is already protected by the Hon'ble Apex Court in *Special Leave Petition (Crl) No. 9424/2025 [Bhaurao Vs State of Maharashtra] dated 30/06/2025*, in view of that, the applicant be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that, during investigation, it revealed that the grants were given to the Gram Panchayat, Mandva, under 15th Finance Commission for the development of the village under the scheme of PFMS. The entire responsibility was with the Gram Sevak and Sarpanch. The present applicant, who was the Gramsevak at the relevant time, and the co-accused Sarpanch paid amounts to various vendors during their tenure without carrying out the work, and the total

amount of misappropriation is more than Rs.18,00,000/-. The entire material collected by the investigating agency in the form of an inquiry report submitted by the Accounts Officer shows the involvement of the present applicant in the alleged offence. In view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that after receipt of the complaint and application of the complainant, the due inquiry was conducted by the Three Officers Committee, which reveals that the present applicant was the Gramsevak of the said Grampanchayat, and they have received the grants under the 15th Finance Commission under the scheme of PFMS, and they were under the obligation to carry out the work and make the payment, but without carrying out the work, the payment was made, and loss is caused to the Government. Thus, considering the fact that there is a misappropriation of Rs.16,07,347/- therefore, the bail application of the co-accused was rejected by this Court. Moreover, the Hon'ble Apex Court has protected the other co-accused. Considering the same, at this stage, it would be appropriate to protect the present applicant by granting ad-interim protection, and he can be directed to attend the concerned police station and cooperate with the investigating agency. In view of that, I proceed to pass the following order.

ORDER

- a] In the event of the arrest in connection with Crime No.270/2025 registered with Police Station Risod, District Washim for the offence punishable under Sections 409 and 420 read with Section 34 of the Indian Penal Code, 1860, the applicant – ***Premanand Shamrao Manwar***, shall be released on ad-interim anticipatory bail on executing P.R. Bond of Rs. 50,000/- with one solvent surety in the like amount.
- b] The applicant shall attend the concerned police station twice in a week on Monday and Thursday between 10.00 a.m to 01.00 p.m. and shall cooperate with the investigating agency.
- c] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
6. Stand over after **four weeks**.

[URMILA JOSHI-PHALKE, J.]