



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

CRIMINAL APPLICATION (ABA) NO. 605 OF 2025

(Prakash S/o Marotrao Jatgade

Vs.

State of Maharashtra, Thr. PSO PS Koradi, District Nagpur)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. C.A. Babrekar, Advocate for the Applicant.
Mr. Aditya Gohokar, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 25th AUGUST, 2025

1. Apprehending the arrest at the hands of Police in connection with Crime No.139/2025 registered with Police Station Koradi, District Nagpur for the offences punishable under Sections 316(5), 318(4), 338, 336(3), 340(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023, the Applicant approached to this Court for grant of pre arrest bail.

2. Heard learned Counsel for the Applicant who submitted that the Applicant was serving as a Village Development Officer for the period from 2017 to 2020. On 20.03.2025 one Sunil Vijaykumar Joshi who happens to be the Gram Panchayat Officer i.e. Village Development Officer of Gram Panchayat, Bokhara has lodged a report against the present Applicant, Nitin Waghdare, Mukesh Bighane and Ankit Kudawale for misappropriating the Government funds.

The Informant has noticed this misappropriation on 03.01.2025 and after inspecting the record of the Gram Panchayat, the Informant has suspected that there is misappropriation of funds regarding the collection of taxes etc. Accordingly, the Informant has reported the said misappropriation to his superior Officer i.e. Block Development Officer, Panchayat Samiti, Nagpur. Smt. Rajnandini Bhagwat who happens to be the Block Development Officer, after making a preliminary enquiry has sought a detailed enquiry from the Chief Executive Officer, Zilla Parishad, Nagpur, the involvement of the present Applicant reveals, and therefore, the crime is registered against him.

3. He submitted that, as far as the present Applicant is concerned, who is now retired from the service. During his tenure no forged or fake bill book was prepared and he is not involved in any misappropriation and he has also not received any pecuniary benefits. As far as the custodial interrogation is concerned, which is not required, as the entire investigation revolves around the documents, and therefore, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said Application and submitted that during investigation the investigating agency has collected various bill books which appears to be the forged bill books. The statements of the Traders who have prepared the bill books were recorded, wherein the involvement of the present Applicant reveals. In view of that, the custodial interrogation of the present

Applicant is required, and therefore, the Application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers, it reveals that after the receipt of information from the Village Development Officer as to the misappropriation, the Enquiry Committee was constituted. The Committee was headed by the Chief Executive Officer, Zilla Parishad, Nagpur and the Enquiry Committee Report as well as the investigation papers were carried out, from which it reveals that the present Applicant who was working as a Gram Sevak from 13.01.2017 to 31.08.2020, is one of the accused and is indulged in the commission of the crime during his tenure. After going through the Enquiry Report, the Chief Executive Officer has asked the Block Development Officer and Village Development Officer to initiate criminal action against the aforesaid 4 accused persons. The amount of Rs.15,03,059/- appears to be misappropriated by printing duplicate receipt books. The statements of various Traders i.e. Gaikwad Traders and Ma Vaishnavi Traders also shows the involvement of the present Applicant in the alleged offence. The forged receipts which were issued during the tenure of the present Applicant were also seized by the investigating agency. Thus, as far as the involvement of the present Applicant in misappropriation of the Government funds reveals. In view of that, the Application deserves to be rejected. Accordingly, I proceed to pass following order:

ORDER

i. The Application is **rejected**.

6. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)

SD. Bhimte