IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1637 OF 2026

Naresh Ambadasrao Deonikar
VERSUS
The State Of Maharashtra And Another

Mr. R. S. Deshmukh, Senior Advocate a/w Mr. U. S. Hashmi, Advocate i/by Mr. A. S. Shelke, Advocate for Applicant
Mr. S. P. Joshi, APP for Respondents/State

CORAM : R.M. JOSHI, J
DATE : OCTOBER 13, 2026

P. C. :

1. Applicant apprehends arrest in connection with C.R. No. 359/2026 registered with Police Station Degloor, District Nanded for the offences punishable under Sections 316(5), 318(2), 336(2), 338 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. First information report indicates that during transition of data from manual to online, it was revealed that huge amount to the extent of more than Rs.89 lakhs were misappropriated raising false bills in respect of basic arrears. In so far as the said establishment of Sub-District Hospital, Degloor, present Applicant was working as Drawing and Disbursing Officer (DDO). There is allegation that under the signature of present Applicant, said bills were raised and the amounts received therein were went to the accounts of co-accused.

3. Learned Senior Counsel appearing for the Applicant submits that admittedly Applicant was DDO, however, he has not signed any bills save and except bills for salary. It is his submission that in fact after getting knowledge of the alleged misappropriation, he initiated inquiry and also issued notices to the concerned not only seeking the documents but also directing the concerned to deposit the money forthwith. According to him, only for the reason that there are signatures appearing of the Applicant on salary bills, it cannot be assumed that he is party to the crime by signing the bills for arrears of basic salary. It is his submission that there is absolutely no evidence to indicate that Applicant has received any benefit of the said crime.

4. Learned APP opposed grant of any protection to the Applicant by submitting that there are specific allegations against him in the first information report with regard to salary bills being submitted under his signature. It is contended by him that the salary bills, which were obtained from A.G., Nagpur, clearly indicates signature of the Applicant. He sought to convince this Court by submitting that otherwise the bills are submitted offline and one portion, which was indicating basis arrears, was submitted online. It is his submission that even if it is now argued that the said manipulation has been done by the officer inferior to the present Applicant, being DDO, it is his responsibility to verify the facts. In any case, it is his

submission that having regard to the nature of offence, Applicant is not entitled for pre-arrest bail.

5. Perusal of the first information report no doubt indicates that being DDO salary bills were signed by the Applicant. This Court with the assistance of learned APP and investigating officer, who is present in the Court, went through the investigation papers, which indicates that salary bills no doubt are signed by the Applicant as DDO, however, there is no signature of the Applicant appearing on the part of such bill, which indicates about the basis arrears, which is misappropriated amount. There is no dispute about the fact that the Applicant is not responsible for online or offline submission of bills. Thus, it is clear that it was the co-accused, who is senior clerk, is responsible for submitting bills has manipulated the record. In absence of any evidence to indicate that Applicant was in collusion with co-accused or beneficiary of the crime, it cannot be said that prima facie there is evidence to connect him with the crime.

6. Having regard to these facts, Application deserves to be allowed. Hence, the order:

O R D E R

(i) Anticipatory Bail Application is allowed.

(ii) In the event of arrest of the Applicant in connection with C.R. No. 359/2026 registered with Police Station Degloor, District Nanded for the offences punishable under Sections 316(5),

318(2), 336(2), 338 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, he shall be released on bail on furnishing PR bond of Rs. 15,000 (Rupees Fifteen Thousand Only) with one surety in the like amount.

(iii) He shall attend the concerned police station as and when required.

(iv) He shall not contact the witnesses directly or indirectly.

(v) He shall not interfere with the evidence in any manner whatsoever.

(vi) He is further directed to cooperate the investigating agency for further investigation.

7. Learned APP to communicate this order to concerned police station.

(R. M. JOSHI, J.)

Malani