**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**BENCH AT AURANGABAD**

**ANTICIPATORY BAIL APPLICATION NO. 775 OF 2025**

Dibakar Nadi Chandramani Nadi
*VERSUS*
The State Of Maharashtra
...

- Mr. G. J. Pahilwan, Advocate for Applicant
- Mr. A. S. Shinde, APP for Respondent - State
- Mr. R. I. Nirmal, Advocate for Assisting the Prosecution

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**WITH**
**CRIMINAL APPLICATION NO. 2111 OF 2025**
**IN ABA/775/2025**
...

**CORAM : MEHROZ K. PATHAN, J.**

**DATED : 30.03.2026**

**PER COURT :**

**1.** Heard learned counsel for the applicant and the learned APP for the respondent-State.

**2.** The applicant has approached this Court apprehending arrest in connection with FIR No.0173 of 2025, dated 20.03.2025, registered with Basmat City Police Station, District Hingoli for the offences punishable under Sections 406, 420, 465, 468, 471 and 34 of the Indian Penal Code.

**3.** The prosecution case, in brief, is that the informant, who runs a training academy for police recruitment aspirants, was approached by his friend co-accused Jitendra Kamble, who introduced him to the present applicant. The applicant represented that he had strong connections in the Revenue Department and could secure a government job, particularly the post of Talathi, in exchange for money. To gain the confidence of the informant, the applicant showed alleged appointment letters of selected candidates and assured him of his selection despite uncertainty in his examination performance. The applicant initially demanded an amount of ₹25,00,000/-, which was negotiated to ₹17,00,000/-. He further handed over signed bond papers and cheques as a false assurance of security. Believing the representations, the informant paid an amount of ₹2,00,000/- in cash and thereafter transferred substantial amounts from time to time through online transactions to the applicant and co-accused. In total, an amount of ₹16,20,000/- was paid between 16.11.2023 & 02.07.2024.

**4.** Subsequently, the informant received a purported confidential selection list wherein his name was shown as selected. However, upon verification at the office of the District Collector, it was revealed that the said list was fabricated and no such selection had taken place. Thereafter, the applicant and co-accused became untraceable. When the informant approached them for refund, he was threatened with dire consequences, including threats of false implication and bodily harm. It has further transpired that multiple similar offences are registered against the applicant.

**5.** In these circumstances, the informant realized that he had been deceived, and the present FIR came to be lodged against the applicant and co-accused for the aforesaid offences, thereby stating that the applicant, in connivance with co-accused, by inducing false promises of securing government employment, dishonestly obtained a huge amount from the informant and cheated him, praying for appropriate action for the offences as alleged.

**6.** The learned counsel for the applicant submits that there was no dishonest or fraudulent intention on the part of the applicant to cheat the complainant. The transactions were purely civil and financial in nature, arising out of a mutual understanding between the applicant and the complainant. Hence, the offence as alleged against the applicant is clearly not made out.

**7.** It is further submitted that the applicant has already refunded a total amount of Rs. 16,56,800/- to the complainant through various modes, including UPI transactions, PhonePe, RTGS, and cash. The said conduct on the part of the applicant in returning the amount clearly shows that the applicant never had any intention to cheat, and as such, the applicant can be protected.

**8.** The FIR came to be filed on 20.03.2025 after a substantial delay of almost one year, which remains unexplained. The allegations against the applicant pertain to the period from 16.11.2023 to 02.07.2024 as per the FIR. However, the FIR has been lodged on 20.03.2025 after a considerable and substantial delay, which remains unexplained. The said delay, therefore, creates doubt about the prosecution story, and it appears that a false story has been concocted by the complainant to somehow implicate the present applicant to wreak vengeance. It is further submitted that on the date of registration of the offence i.e. on 20.03.2025, an amount of Rs. 20,000/- was again transferred to the account of the complainant, which shows that the applicant never had any intention to cheat or commit misappropriation.

**9.** Since the applicant has already returned the entire amount to the complainant, custodial interrogation of the applicant may not be necessary, and as such, the applicant may be released on anticipatory bail. The applicant undertakes to abide by the conditions that may be imposed by this Court. Hence, the applicant may be released on anticipatory bail.

**10.** As against this, the learned APP and the learned assisting counsel strongly oppose the bail application on the ground that the applicant is involved in serious offences of cheating, misappropriation, and criminal breach of trust. The applicant has adopted a modus operandi to trap young gullible aspiring candidates and extract huge amounts from them on the pretext of securing government jobs such as Talathi, Nurse, and Vanrakshak. The applicant has acted in connivance with co-accused Jitendra Kamble to extract an amount of approximately Rs. 16,00,000/- from the complainant. Though the applicant claims that the amount of Rs. 16,00,000/- has been returned to the complainant. However, only an amount of Rs. 3,00,000/- has been returned by the applicant, the remaining amount is yet to be recovered from the present applicant. Moreover, it is further submitted that the applicant is involved in similar crimes against other gullible students aspiring for government jobs, wherein the applicant is alleged to have received huge amounts from such candidates. There are two other crimes registered against the applicant, being Crime No. 32 of 2025 registered at Police Station Valwani, wherein the complainant was assured of a job as a peon in the cantonment board upon payment of a huge amount. Another FIR is registered against the applicant, wherein he was arrested, in Crime No. 961 of 2024 under Sections 420, 406 and other relevant provisions of the IPC. The applicant, who was earlier arrested by Barshi Shahar Police Station in the aforesaid Crime No. 961 of 2024, was handed over to Police Station Valwani in Crime No. 32 of 2025 on a production warrant. Both the aforesaid crimes are identical in nature to the present crime, wherein the applicant has adopted the same modus operandi of trapping young aspiring candidates by promising them government jobs in exchange for money.

**11.** The investigation in the present crime shows that there are two witnesses, namely Pravin Shrikhande and Abhijit Deshmukh, before whom an amount of Rs. 2,00,000/- was handed over by the complainant to the present applicant and co-accused Jitendra Kamble. The investigation papers further show that various bogus appointment orders were issued by the applicant to several other candidates. The information received from the Collector Office, Hingoli, shows that the name of the complainant was not found in the select list dated 14.03.2024. The account statements of the complainant show huge payments made to the applicant. The bogus confidential select list issued in the name of the In-charge State Examination Coordinator, showing the name of the complainant at Serial No. 8 for the post of Talathi at Hingoli, which was forwarded on WhatsApp, has also been obtained and corroborates the allegations made by the complainant. The cheques of Rs. 5,00,000/- each, signed by the present applicant and issued from his accounts maintained with IDFC First Bank and HDFC Bank, bearing his signatures, along with the blank stamp paper purchased by the applicant on 22.12.2023, have also been obtained and corroborate the allegations made in the FIR.

**12.** The investigation papers also include material collected in Crime No. 961 of 2024 and Crime No. 32 of 2025, showing an identical modus operandi adopted by the applicant to cheat other gullible aspirants. In Crime No. 961 of 2024, the complainant therein was assured of appointment as a Staff Nurse in the cantonment board, whereas in Crime No. 32 of 2025, the complainant therein was assured of appointment as a Peon in the Cantonment Board by the present applicant. Though the applicant was arrested in the aforesaid two crimes, custodial interrogation of the applicant in the present crime is necessary to complete the investigation. The investigation is complex in nature and is required to be conducted from all angles. Such investigation can only be effectively carried out through custodial interrogation of the applicant.

**13.** The present crime is one of such offences which are increasing in the country, whereby innocent and gullible aspiring candidates fall prey to such modus operandi adopted by persons like the present applicant. The criminal antecedents of the applicant itself suggest that he had the intention to cheat the complainant. Thus, this is not a fit case to grant anticipatory bail in exercise of discretionary powers. The application is, therefore, rejected.

**14.** In view of the above, the application for assisting the prosecution also stands disposed of.

**( MEHROZ K. PATHAN, J. )**

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