IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2393 OF 2025

MAHESH RAGHUNATH PADALE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Nilesh S. Ghanekar
APP for Respondents-State : Mr. B. B. Bhise

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CORAM : SACHIN S. DESHMUKH, J.
Date : 2nd February, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 29.07.2025 bearing Crime No. 323 of 2025 registered with Pundlik Nagar Police Station, Dist. Chhatrapati Sambhajinagar for the offences punishable under Sections 316(2), 316(5), 318(1), 318(3), 336(1), 336(3), 340(2), 238, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that the complainant Smt. Chetana Daulat More, Project Officer of the Integrated Tribal Development Project, was officially authorized by Additional Commissioner Shri. Jitendra N. Choudhari via an authorization letter dated 12.06.2025 to lodge a report regarding large-scale

financial irregularities. This action followed an initial application filed by Sandeep Ramdas Gawale on 01.04.2025, which triggered a high-level inquiry into the implementation of the Pandit Dindayal Upadhaya Swayam Scheme.

3. The investigation, spearheaded by an Enquiry Committee led by Assistant Commissioner S. R. Pedhekar, uncovered a systematic conspiracy involving the Principals of four educational institutions and internal department clerks. The audit revealed that Dr. APJ Abdul Kalam Management Science College, Dr. APJ Abdul Kalam Arts, Commerce and Science College, Arts College of Chetna Education Institute, and Dr. Babasaheb Ambedkar Arts and Commerce College exploited the scheme's digital portal to misappropriate government funds.

4. Under the Pandit Dindayal Upadhaya Swayam Scheme, tribal students are entitled to annual disbursements of Rs. 28,000/- for meals, Rs. 15,000/- for residence, and Rs. 8,000/- for maintenance. The accused institutions allegedly abused designated Login IDs and passwords to verify and approve forged documents for a suspiciously high volume of accused. On 30.06.2025, a three-member committee confirmed that these colleges facilitated the

fraudulent processing of student profiles to trigger automatic bill generation and fund disbursement.

5. The inquiry report concludes that for the academic years 2023-24 and 2024-25, the accused forged records for a total of 1,416 ineligible students. This coordinated effort between the colleges and the departmental clerks resulted in the direct misappropriation of government funds totaling Rs. 6,53,16,050/-. The prosecution contends that the enormous year-on-year increase in beneficiaries was a calculated move to cheat the public exchequer through the submission of falsified digital records.

6. The learned counsel for applicant submits that the applicant is a humble employee serving as a Data Entry Operator on a purely temporary basis. In the hierarchical structure of the Integrated Tribal Development Project, the applicant’s role is strictly ministerial, involving the clerical task of entering data provided by educational institutions. The applicant possesses no discretionary power to approve, verify or sanction funds.

7. The learned counsel for applicant further submits that the arrest of the applicant is effected on 02.08.2025 and since then, he is in jail. The investigation is complete and the charge-

sheet is filed. As such, further incarceration of the applicant is unjustified. Hence, prayed to allow the application.

8. Per contra, the learned APP vehemently opposed the application submitting that the present case involves a massive, pre-planned misappropriation of public funds totaling Rs. 6,53,16,050/-. The applicant's defense that he is a mere "Data Entry Operator" is a gross simplification. As an employee within the Office of the Integrated Tribal Development Project, the applicant acted as the internal gatekeeper.

9. The learned APP further submits that the inquiry report dated 30.06.2025 indicates that the fraud could not have been executed without the active connivance of the department's clerical staff, who intentionally overlooked the forged documents uploaded by the accused. Hence, prayed for rejection of the application.

10. Having heard the learned counsel for applicant and the learned APP for State and perusing the material on record, including the charge-sheet, it is prima facie evident that the present case involves a sophisticated economic scam amounting to Rs. 6,53,16,050/-. The economic offences of this magnitude affect the financial health of the State and deprive the actual intended

beneficiaries students of the tribal community. As per the precedents set by the Hon'ble Supreme Court, the economic offences must be treated as a "class apart" and bail should not be granted as a matter of routine.

11. Although the applicant claims to be a temporary Data Entry Operator, the inquiry report dated 30.06.2025 prima facie indicates that the scheme required the active participation of internal departmental staff. The applicant served as a critical link in the verification chain. The sheer volume of forged documents i.e. 1,416 student profiles, could not have bypassed the system without the applicant's prima facie deliberate act or omission in the processing of data.

12. The applicant, while employed as a Data Entry Operator, played a pivotal role in the systematic siphoning of public funds meant for the upliftment of tribal students. The nature of the allegations and the evidence collected thus far prima facie attract several provisions of the Bharatiya Nyaya Sanhita (BNS), 2023, including Section 316(2) and (5) (Criminal breach of trust by a public servant/agent), Section 318(1) and (4) (Cheating and dishonestly inducing delivery of property), Section 336(3) (Forgery

of valuable security/will), Section 340(2) (Using as genuine a forged document), and Section 238 (Causing disappearance of evidence). Given the collective nature of the crime, the applicant is further charged under Section 3(5), which establishes joint liability for acts done by several persons in furtherance of a common intention.

13. The record prima facie indicates that the investigation triggered by the application dated 01.04.2025 has revealed a deep-rooted conspiracy between educational institutions and the department. There is prima facie significant incriminating evidence showing that the applicant processed files for colleges like Dr. APJ Abdul Kalam Management Science College, which indicates a suspicious and "enormous increase" inclusion of number of malicious students posing them as lawful and legitimate students and further causing loss to the public exchequer to the greater extent. Thus, the evidence prima facie satisfies the requirements for the offence of criminal breach of trust.

14. The Hon’ble Apex Court, in the case of **Y.S. Jagan Mohan Reddy Vs. CBI [(2013) 7 SCC 439]**, has held that economic offences involving deep-rooted conspiracies and the

massive diversion of public money stand on a different footing. Such offences seriously affect the national economy and erode the trust of the common man in financial systems.

15. The scale of the fraud is staggering, involving the misappropriation of Rs. 6,53,16,050/- through the manipulation of 1,416 student profiles. A fraud of this magnitude, executed over the academic years 2023-24 and 2024-25, could not have been possible without the active and intentional participation of the internal departmental staff. The applicant’s contention that his role was "purely ministerial" or "strictly clerical" does not hold water in the face of such a massive and sustained increase in beneficiaries. The sheer volume of forged records processed through the applicant's station points toward a calculated and deliberate move to cheat the public exchequer rather than a mere oversight in data entry.

16. Furthermore, the plea that the applicant lacked power is insufficient to absolve him of his criminality at this stage. In a conspiracy of this nature, the "gatekeeper" who enters and validates the digital data is as essential as the mastermind. The principle of common intention is prima facie satisfied, as the

applicant's actions were the necessary conduit through which the forged documents from the educational institutions were converted into automatic bill generations. The applicant’s actions have far-reaching consequences, causing substantial loss not only to the public exchequer but also to the genuine students for whom the scheme was intended. The applicant has prima facie effectively defeated and misappropriated the legitimate entitlements of deserving beneficiaries for personal gain.

17. Considering the material on record, the evidence prima facie establishes a clear chain of entrustment, dishonest misappropriation, and fraudulent intention on the part of the applicant. In a conspiracy of this magnitude, the principle of common intention under Section 3(5) of the BNS is prima facie satisfied, as the fraudulent processing of digital profiles was the essential conduit for fund disbursement; thus, a limited hierarchical role does not absolve the applicant of criminality.

18. Consequently, the prosecution has established a strong case under Sections 316(2), 316(5), 318(4), 336(3), and 340(2) of the Bharatiya Nyaya Sanhita, 2023. Granting bail to a key facilitator in a scam targeting tribal welfare funds would not only

undermine the gravity of this economic offense but also send a wrong signal to society and potentially jeopardize the integrity of the judicial process. Therefore, I am not inclined to exercise discretion in favor of the applicant at this stage.

19. Accordingly, the bail application stands **rejected**.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi