2026:BHC-AUG:897

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1699 OF 2025

VIJAY NIVARUTTI BHANDVALE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Bhagure Pralhad Chagan

GP for Respondents/State : Mr. A. B. Girase

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CORAM : MEHROZ K. PATHAN, J.

Date of Reserving the Order : **22nd DECEMBER 2025**

Date of Pronouncing the Order : **12th JANUARY 2026**

O R D E R :

1. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.453/2025 registered with Ambad Police Station, District Jalna for the offences punishable under Sections 316(4), 316(5), 318(4), 324(5), 336(3), 338, 340(2), 339, 238 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023 and Sections 52 and 53 of the Disaster Management Act, 2005.

2. The First Information Report was filed by one Vilas Komatwar, stating that he had received a letter from the Sub Divisional Officer, Ambad, dated 18.08.2025. The letter informed him that the Three-Member Committee had submitted a report regarding the natural calamity compensation disbursement fraud committed by accused persons at Ambad and Ghansavangi Taluka, and authorized him to register an FIR against those found responsible in the said report.

3. It is alleged that the State Government declared compensation for farmers whose agricultural fields were affected by natural calamities during the years 2022, 2023, and 2024, including floods, heavy rainfall, unseasonal rainfall, drought, etc., to be disbursed to the affected farmers. Several complaints were received at the Collector Office, Jalna, pertaining to the disbursement of natural calamity compensation at the Tahsil Offices of Ambad and Ghansavangi. The complaints mentioned the role of the Village Revenue Officer, Gram Sevak, and Agricultural Assistant, who allegedly colluded with each other to disburse compensation to bogus farmers who were not eligible for such benefits. In some cases, compensation was disbursed to farmers who were not residents of the village, including villagers from other Talukas and Districts. Agricultural fields of lesser measurement were shown with inflated areas by forging the 7/12 extracts and by falsely showing fruit-bearing trees on barren land. Some beneficiaries were allotted compensation twice. Taking into consideration the aforesaid complaints, the Collector, Jalna, under his supervision, formed a Three-Member Committee on 28.01.2025.

The said Committee conducted a detailed inquiry into the complaints and submitted its report. In the FIR, 28 persons were named, along with certain other unnamed persons who had acted in collusion and misused the login ID of the Tahsildar and committed fraud/misappropriation by disbursing compensation to persons not entitled to receive the same. In some cases, even Government lands were wrongly shown in forged 7/12 extracts of villagers, thereby obtaining disaster relief compensation through conspiracy by all the accused persons acting together thereby cheating the Government.

. Apart from the aforesaid two talukas, Ambad and Ghansavangi, six Revenue Officers of the Tahsil Office, Ambad, were also named who have colluded with the Village Revenue Officer/Talathi and certain bogus beneficiaries, conspiring to commit misappropriation with the intention of causing wrongful loss to the Government and wrongful gain to themselves, thereby cheating the Government. One of the Revenue Officers in the Collector Office, Jalna, namely Mr. Dinesh Barad, was held responsible for misusing the login ID and password of the Tahsildar, Ambad. He allegedly connived with the other accused persons and further provoked and instigated them to commit the said crime. It is also alleged in the FIR that after getting knowledge that an inquiry was being conducted into the fraud committed in the disbursement of natural calamity compensation, the accused persons destroyed the necessary evidence and the files in the computers maintained by the Officers were deleted, which could have assisted to prove their guilt. The three email ID's of the Tahsil Office namely tahambad@gmail.com; tahghan@gmail.com and tahghananudan@gmail.com were tampered with by all accused persons and thereafter the evidence were destroyed.

. Thus the aforesaid 28 persons and others are found to have committed the misappropriation to the tune of Rs.24,90,77,811/- by forging the documents and cheating the Government and thereafter destroying the evidence. The complainant therefore prayed for appropriate action against all the accused persons. Thus the present FIR alleges that the Talathis/Revenue Officers, Gram Sevaks, and Agricultural Assistants caused wrongful loss to the Government and wrongful gain to themselves by fabricating certain documents, inserting bogus names of farmers, and disbursing compensation amounts to such bogus farmers. The FIR further alleges that compensation was transferred to fake and ineligible beneficiaries.

4. Heard the learned Counsel Mr. Bhagure alongwith Assisting Counsel and the learned Government Pleader Mr. Girase. I have gone through the documents relied upon by the learned Counsel for the Applicant and also gone through the investigation papers made available by the learned Government Pleader.

5. It is the submission of the learned Counsel for the Applicant that the initial stage of responsibility of collecting information rests with the Talathi who is the Village Revenue Officer to collect the data of the affected farmers and submit the same in the prescribed excel-sheet format. The said particulars were thereafter to be verified by the Mandal Officer that is the Circle Officer, Extension Officer and the Agricultural Officer. After certifying the correctness of the information by the aforesaid Officers, the data was to be submitted to the Tahasildar office where the Applicant was working as a Technician to upload the data. The Applicant was thus acting on the basis of the list provided by the Talathis, cross-checked by the Mandal Officers and other officers on the system. The Tahsildar, being the Nodal Officer at the Taluka level, was required to verify the login credentials of the MAHA-IT portal, and after receiving the verified list from the supervisory officer, the said data was handed over to the Applicant for uploading on the portal.

6. That once the data is finalized, the system generated a unique identification list that is the VK list of eligible farmers showing their names affected area and the sanction amount. The list was then made available to the Gram Panchayat for publishing the same at village level. The farmers were to be guided by Talathi or Gram Sevak to check their names in the VK list and to complete the Aadhar biometric authentication at the nearest CSC or Aapli Sarkar Seva Kendra. That upon successful Aadhar Authentication, the claim was validated by the system and forwarded to the Agricultural Officer for clearance and it is only thereafter that the amount of compensation was directly transferred in the account of the beneficiaries maintained at SBI through the direct benefit scheme mechanism.

7. It is the submission of the learned Counsel for the Applicant that the Applicant being merely a technician had no control over uploading of the data, scrutiny, sanction or the amount of disbursement. The role was confined only to upload the relevant data on the portal whereas the final authority to approve sanction and release funds vested with the Tahsalidar Sub-Divisional Officers and the District Collector through the MAHA-IT portal and the direct beneficiary transferred scheme.

8. It is further submitted by the learned Counsel for the Applicant that, though the FIR names about 102 individuals in the alleged misappropriation of Government funds, only 28 persons have been selected by the authorities for prosecution. This raises serious doubts about the Applicant being made a scapegoat to shield higher officers in the administration. The exercise undertaken by the authorities is mala fide and has seriously prejudiced the Applicant. Thus it is submitted that the Applicant has no role to play in the commission of the said crime. The Applicant is only a technician and his role is strictly limited to collect information in the prescribed format. There is no documentary or digital evidence placed on record to show that the Applicant in his official capacity as a technician actively participated in facilitating or personally benefiting from the alleged fraudulent acts involving false inspection report, forged documents. The money had not come to the Applicant's account. No complaint is received from the farmer to show the direct involvement of the Applicant in this crime. The amount was directly transferred in the account of the farmer opened at SBI. The system automatically detects errors and prevents duplication, hence, the allegations of misappropriation cannot be fastened upon the Applicant, who had no access to the MAHA-IT login credentials. There may be some procedural lapses in implementing the scheme, however there was no criminal intent. The scheme itself was complexed involving thousands of beneficiaries and therefore some errors were bound to occur. The other co-accused Suraj was already protected by this Court vide interim order and the Applicant also seeks parity, as in the case of Suraj Bhikkad. The Applicant is a Government Servant, not a flight risk, and there is no possibility of his fleeing from the ends of justice. The Applicant is a responsible Government Officer and is ready to cooperate with the investigation. The Applicant shall be available for further investigation if required by the Investigating Officer. The custodial interrogation of the Applicant is not necessary, and therefore the Applicant may be released on bail.

7. As against this, the learned Government Pleader vehemently opposes the application on the ground that the Applicant had included the bogus list of farmers forwarded by another co-accused, Ganesh, in the name of beneficiaries. The arrested accused, Sushilkumar Jadhav, had also forwarded a list of bogus farmers on WhatsApp to the present Applicant, which was then uploaded on the portal. Accused Vitthal had forwarded a list of bogus farmers who were shown as entitled to receive compensation, and the arrested accused, Sushilkumar Jadhav, had further forwarded the names of 83 persons to be included in the list of beneficiaries to the Applicant. Another co-accused, Kailash, had forwarded three lists to the Applicant, including 1501 persons in the list of beneficiaries, even though they were not entitled to the same.

8. It is further submitted by the learned Government Pleader that the statement of Prakash Dahibhate shows the involvement of the present Applicant. The statement of Prakash shows that the

Applicant Vijay had insisted upon him to provide the names of his family members to be included in the list of beneficiaries. After an amount of Rs.1,24,306/- was deposited in the account of his mother, the said witness Prakash withdrew the amount and handed over the cash to the present Applicant. The present Applicant returned only Rs.6,000 in cash to the witness and retained an amount of Rs.1,18,306/- out of the sum withdrawn by the witness.

. The statement of the present Applicant was recorded during the course of inquiry by the SDO, Ambad, wherein the Applicant admitted that he had given the names of his father, mother, and other relatives to the Talathi for uploading the same as beneficiaries even though they were not entitled for compensation. The Applicant had uploaded the names of at least 22 to 25 persons for obtaining compensation meant for farmers affected by natural calamity. The arrangement was made by the Applicant with the Talathis for sharing the amount on a 50-50 basis, and the amounts were subsequently withdrawn and shared by Applicant.

. Thus, taking into consideration the evidence collected by the prosecution, the role of the Applicant has emerged as that of one of the prime accused, who was operating the computers at the Tahsil Office, Ambad, and had uploaded the list of fake beneficiaries with the assistance of other accused persons. Thus, the application may be rejected.

9. I have considered the data collected by the prosecution, the allegations in the FIR, as well as the submissions made by the learned Counsel for the Applicant. A perusal of the investigation papers shows that one of the witnesses, Prakash Dahibhate, has directly named the present Applicant as having insisted the witness Prakash to provide the names of their relatives for receiving compensation amounts meant for farmers affected by natural calamity. Furthermore, the statement of Prakash Dahibhate shows that the Applicant had asked him to withdraw the amount deposited in the account of his relatives. After the witness handed over the cash, only Rs.6,000/- was returned by the Applicant, while the remaining amount of approximately Rs.1,18,000/- was retained by the present Applicant. The role of the present Applicant is thus clearly made out in the aforesaid crime.

. Accused Vitthal had forwarded a list of bogus farmers who were shown as entitled to receive compensation, and the arrested accused, Sushilkumar Jadhav, had further forwarded the names of 83 persons to be included in the list of beneficiaries to the Applicant. Another co-accused, Kailash, had forwarded three lists to the Applicant, including 1501 persons in the list of beneficiaries, even though they were not entitled to the same.

10. The Hon'ble Supreme Court in the case of **Y.S. Jagan Mohan Reddy v. Central Bureau of Investigation**, (2013) 7 SCC 439 and in the case of **Tarunkumar Vs. Assistant Director Directorate of Enforcement,** 2023 NSC 1006, was pleased to hold that the economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offences having deep-rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as a grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country.

11. The Hon'ble Supreme Court in the case of **Nimmagadda Prasad vs C.B.I., Hyderabad,** (2013) 7 SCC 466, has held as under :

> *23. Unfortunately, in the last few years, the country has been seeing an alarming rise in white-collar crimes, which has affected the fibre of the country's economic structure. Incontrovertibly, economic offences have serious repercussions on the development of the country as a whole. In State of Gujarat v. Mohanlal Jitamalji Porwal [(1987) 2 SCC 364 : 1987 SCC (Cri) 364] this Court, while considering a request of the prosecution for adducing additional evidence, inter alia, observed as under:*
> *"5. ... The entire community is aggrieved if the economic offenders who ruin the economy of the State are not brought to book. A murder may be committed in the heat of moment upon passions being aroused. An economic offence is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the community. A disregard for the interest of the community can be manifested only at the cost of forfeiting the trust and faith of the community in the system to administer justice in an even-handed manner without fear of criticism from the quarters which view white-collar crimes with a permissive eye unmindful of the damage done to the national economy and national interest."*

12. The Applicant in connivance with all other accused persons has allegedly committed the misappropriation to the tune of Rs.25 Crores by using login ID of Tahsildar with the assistance of other accused persons. The statements recorded by the Investigating Officer during the course of investigation reveals the role of the present Applicant to be a prime suspect in the crime. The custodial interrogation of the Applicant would be thus necessary. Some of the amount initially shown as misappropriated by the Inquiry Committee has been allegedly recovered by the Applicant. However the investigation shows that the amount of misappropriation is likely to increase as the investigation is still going and the statements of the bogus farmers are being recorded. Thus there is every likelihood that the Applicant if released on bail, may cause prejudice to the investigation.

. Thus taking into consideration the gravity and nature of economic offence, the Three Member Committee's report and the investigation papers which include statements of various beneficiaries, I am not inclined to exercise the discretion in favour of the present Applicant to grant anticipatory bail. The application is therefore rejected.

MEHROZ K. PATHAN
JUDGE

Najeeb.