IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1680 OF 2025

VINOD JAYJAYRAM THAKARE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Salunke Sudarshan J.

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, 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 Tahasil 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. Salunke 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 Applicant was issued a show cause notice for alleged misappropriation of amount of Rs. 11,76,627/-. The final report of the Three-Member Committee would itself show that the Applicant has assisted the Committee to recover the amount of Rs.8,91,612/-. The Applicant has thus assisted the Inquiry Committee and only an amount of Rs. 2,85,015/- is remained to be recovered at the instance of the Applicant for the villages where the Applicant was working as Talathi. The Applicant has also annexed the receipts of the amount paid back to the Government. The Applicant has cooperated with the Inquiry Committee and is further ready to cooperate with the Investigating Officer. Thus the custodial interrogation of the Applicant is not necessary. 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 is a Field Officer who was entrusted with the task of preparing a list, which was thereafter to be uploaded by higher officers such as the Talathi, and the final amount was to be disbursed by the Collector, Jalna. The Applicant is not a beneficiary of the amount, and hence it cannot be said that he has misappropriated Government funds allocated for compensation to farmers. The farmers, i.e., the alleged fake beneficiaries, have not been made accused, even though the amounts were transferred into their accounts. The Investigating Officer is conducting the investigation, and the Applicant shall remain available for further investigation as and when required by the Investigating Officer. The Applicant shall 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.

6. As against this, the learned Government Pleader strongly opposes the application on the ground that, although an amount of Rs.8,91,712/- is stated to have been recovered, a further sum of Rs. 1,55,138/- is yet to be recovered at the instance of the present Applicant out of Rs.10,46,850/-. The amount involved is substantial and pertains to Government funds earmarked for disbursement to farmers in distress due to crop damage caused by natural calamities such as shortfall of rainfall and other related catastrophes. Hence, this is not a fit case for grant of anticipatory bail to the Applicant.

7. I have gone through the investigation papers which show that the villagers namely Yogesh Gavhane and others have stated about the role of the present Applicant who have asked them to submit necessary documents for obtaining compensation even though they were not entitled to receive the compensation. The Gram Panchayat of village Karanjala shows that 15 of such beneficiaries who were not even residents of the Village Karanjala, however still their names were included in the list of beneficiaries. The Applicant has uploaded names of fake beneficiaries by sending the same to the concerned official at Tahsil office, Ambad via Whatsapp. The Applicant has failed to cooperate with the Inquiry Committee, as the Applicant did not give names of persons involved in the whole scam. The Applicant has obtained the names of labours and unemployed persons from various villages prepared fake Aadhar Card and asked them to open account in the SBI and has used the same to draw benefits of the compensation by asking villagers to pay him commission out of the compensation when received. The amount involved is huge and requires investigation from various aspects. The Applicant has committed the said crime conspiring with the other accused persons of the Tahsil Office and as well as the office of Collector Jalna. Particularly Mr. Birad who had misused the login ID of the Tahsildar to upload the names of fake beneficiaries. The statements of Arun Pathade and others recorded by the Investigating Officer reveal that, despite not possessing any agricultural fields, the Applicant compelled them to furnish documents such as Aadhaar Cards, and thereafter prepared bogus 7/12 extracts and fabricated residence certificates to falsely show that they had suffered crop damages. The Gram Panchayat of Karanjala has indicated that 15 villagers obtained fraudulent compensation papers, while another 15 persons were not even residents of the village. The Applicant forwarded a list on WhatsApp to the concerned officials for inclusion of such fake beneficiaries, which clearly demonstrates his involvement in the crime.

8. 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.

9. 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."

10. 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.