IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1714 OF 2025

DINESH DNYANESHWAR BERAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
...
Advocate for Applicant : Mr. Sudarshan J. Salunke

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

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 such 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, 22 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. The learned Counsel Mr. Salunke for the Applicant submits that the Applicant has been wrongly implicated in the present case. The Applicant had no role to play in the sanction or disbursement of the amount. He was working as an Assistant Revenue Officer in the Disaster Management Department of the Collector Office, Jalna, since 07.06.2023, and did not have the authority to alter, add, or delete the names of beneficiaries forwarded by the concerned revenue officers. The Standard Operating Procedure issued under the MAHA-IT portal was prepared in such a manner that every officer had an independent role. There were multiple stages of scrutiny of the list, and therefore the Applicant has been made a scapegoat, only with the intention of saving the higher officers.

6. It is further submitted that the list was uploaded by the Tahsildar on the e-portal, namely MAHA-IT, which was thereafter approved by the Sub-Divisional Officer. The login ID and password for the portal were with the aforesaid officers, and the Applicant had no access to such data, which remained within the exclusive domain of the Tahsildar and the SDO. The evidence required by the Collector is technical in nature, and therefore the custodial interrogation of the Applicant may not be necessary. The Applicant is ready to abide by any conditions that may be imposed by this Court.

. It is further submitted by the learned Counsel for the Applicant that another Data Operator, Sushil Jadhav, has been enlarged on regular bail by this Court vide order dated 18.11.2025. The principles of parity may therefore be applied to the present Applicant, who was also discharging identical responsibilities in the Disaster Management Department of the Collector Office at Jalna.

7. As against this, the learned Government Pleader vehemently opposes the application on the ground that the Applicant is the main kingpin who assisted other accused persons in the commission of the said crime. The Applicant was the connecting link between the Collector Office, Jalna, the Tahsil Office, Ambad, and the other ground-level officers who were entrusted with the responsibility of collecting the data and forwarding it for approval to the Collector Office, Jalna. The Applicant sanctioned the list of bogus farmers fraudulently prepared by the concerned Talathi, with the intention of cheating the Government. Without the approval of the present Applicant, the account holders/bogus beneficiaries could not have received the V.K. number, which was necessary for receiving compensation directly in their accounts.

8. It is further submitted by Mr. Girase that even when the Inquiry Committee was conducting its inquiry, most of the data was deleted by the Applicant so as to protect the other accused persons and thereby mislead the Committee. The Applicant also included the names of some of his relatives in the list of bogus beneficiaries and received compensation. The Inquiry Committee had sought a list from the Applicant; however, the Applicant deleted the names of his relatives from the data supplied to the Committee. The names of Raju, Shivhari, and Nivrutti were deliberately deleted by the Applicant during the inquiry. The aforesaid persons are near relatives of the Applicant and received compensation despite not being entitled to it.

. It is further submitted that the statements of various other persons which would show the involvement of the present Applicant in supplying the bogus list for receiving the compensation. Thus the custodial interrogation of the Applicant would be required to investigate the crime from all aspects, as there is evidence to show that the Applicant connived with other accused persons to commit the said crime.

9. I have gone through the submissions made by the learned Counsel for the Applicant and the investigation papers made available by the learned Government Pleader. The perusal of the investigation papers shows that the near relatives of the Applicant, Nivrutti Kothalkar (brother-in-law), Shivhari Kothalkar (father-in-law), and Raju Telange (nephew), received compensation amounts of Rs.1,07,000/-, Rs.1,06,200/-, and Rs.3,90,400/- respectively, without being entitled to receive the same. The other material collected by the Investigating Agency further shows that the statement of Vaibhav Adgaonkar clearly indicates that the Applicant, Dinesh Berad, misused the login ID of eight Tahsils within his jurisdiction and misused the password for uploading the bogus beneficiaries list, and received Rs.1.25 lakhs from each Tahsil for uploading such lists.

. The statement of accused Vaibhav Adgaonkar further shows that the Applicant/Dinesh Berad, had received an amount of Rs.51,000/- in the premises of the Tahsil Office from Talathi Mujgule and Talathi Gadekar through one Rameshwar Jadhav, Talathi of Rohilgarh, in the Tahsil Office premises. Thus, the Applicant/Dinesh Berad, appears to be the kingpin of the entire crime, who was issuing the V.K. list number from the Collector Office, Jalna, and therefore the custodial interrogation of the Applicant is necessary to investigate the crime from all angles.

10. 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."

11. Thus taking into consideration the gravity and nature of the offence, the Three-Member Committee's report and the investigation papers which include relevant statements showing the role of the Applicant, 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