



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

ANTICIPATORY BAIL APPLICATION NO. 223 OF 2026

1. BAPU RAGHUNATH GHORPADE
2. NANDU SHRIRAM GARDE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER
WITH
CRIMINAL APPLICATION NO. 599 OF 2026
IN ABA/223/2026

...

Advocate for Applicants : Mr. S. B. Yawalkar

APP for Respondents/State : Mr. P. D. Patil

Advocate for Applicant in Cri.Appln. : Mr. Yash A. Jadhav
(Assist to P.P.)

...

CORAM : MEHROZ K. PATHAN, J.

DATE : 12th FEBRUARY 2026

PER COURT :

1. Heard.
2. Issue notice to the Respondent, returnable on 11.03.2026.
Learned APP waives service of notice for Respondent/State.
3. The Criminal Application No.599/2026 is filed by the complainant, who submitted a complaint to the Education Department regarding irregularities in the disbursement of scholarship funds.
4. For the reasons stated in the Criminal Application No.599/2026, the same is allowed.

5. The learned Counsel for the Applicants submits that the Applicants were merely contractors, alleged to have carried out construction works in the school, and were paid by the Trust which is alleged to have committed certain irregularities in the disbursement of scholarship funds deposited by the Government for the welfare of Scheduled Caste and Scheduled Tribe students. The Applicants had no role in the commission of the principal offence alleged against the Chairman, other office bearers, and employees of the Trust.

. It is further submitted that the Applicants had approached the Sessions Court seeking anticipatory bail. The learned Additional Sessions Judge, Dhule vide its order dated 06.01.2026 granted interim protection to the Applicants during the pendency of the application, subject to the condition that they shall cooperate with the investigation. The said interim order continued to operate until the final order dated 31.01.2026, whereby the bail application came to be rejected. The learned Counsel further submits that the Applicants have duly cooperated with the investigation and ready to cooperate further and attend before the Investigating Officer as and when directed by this Court.

6. Thus, taking into consideration the aforesaid submissions and particularly the fact that the Applicants were protected by the learned Additional Sessions Judge, Dhule vide order dated 06.01.2026 in Criminal Bail Application No.15/2026, I am inclined to protect the Applicants until the investigation papers are received, however, subject to certain conditions. Hence the following order :

ORDER

(a) In the event of arrest of the Applicants - Babu Raghunath Ghorpade and Nandu Shriram Garde in connection with Crime No.767/2025 registered with Dhule Taluka Police Station, District Dhule for the offences punishable under Sections 420, 409 r/w 34 of the Indian Penal Code, they be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousands) each with two solvent sureties in the like amount, on the following conditions :

(b) The Applicants are directed to attend Dhule Taluka Police Station, District Dhule on 17th and 24th of February, 2026 and 3rd March of 2026 between 11:00 am. to 01:00 pm. and co-operate with the Investigating Officer.

(c) The Applicants shall not tamper with the evidence and shall appear before the Investigating Officer as and when required, apart from the days already mentioned above.

(d) The Investigating Officer shall make the investigation papers available for perusal of this Court.

7. Stand over to 11.03.2026.

MEHROZ K. PATHAN
JUDGE

NATJEB..