

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 251 OF 2026

ASHOK AJINATH KECHE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Prasad Arun Kamthe i/by
Mr. Poras Shah

APP for Respondents/State : Mr. Nitin B. Patil

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CORAM : MEHROZ K. PATHAN, J.

DATE : 9th JUNE 2026

PER COURT :

1. Heard the learned Counsel for the Applicant and the learned APP for the State.
2. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.151/2023 registered with Tembhurni Police Station, District Solapur Rural for the offences punishable under Sections 420, 409, 467, 468, 471, 477-A, 465 of the Indian Penal Code, 1860.
3. The case of the prosecution is that Applicant by misusing the documents of Sagar Navgan and preparing forged appointment letter, has cheated the Government by taking salary to the tune of Rs.3,58,623/-. Hence the FIR was filed.

4. The learned Counsel for the Applicant submits that the Applicant is falsely implicated in the present crime. The co-accused, Headmaster Balasaheb Keche, has already been arrested and released on bail. The Applicant is the Chairman of the said Society. The Applicant only appointed one teacher, Sagar Navgan, as per the resolution passed by the School Committee of the Society. Approval was also granted by the Education Officer vide order dated 17.12.2011 for the appointment of Sagar Navgan to an unaided post of teacher. The amount allegedly defalcated, to the tune of Rs. 3,58,623/-, has already been redeposited by the arrested co-accused Balasaheb, who is released on bail. Nothing remains to be recovered at the instance of the Applicant. The evidence is documentary in nature, for which custodial interrogation of the Applicant may not be required. The entire investigation is already complete, and the charge-sheet has been filed against the arrested accused Balasaheb. Nothing remains to be recovered at the instance of the Applicant. Hence the Applicant may be protected.

5. As against this, the learned APP strongly opposes the present application on the ground that the Applicant is involved in the serious offences of cheating, criminal breach of trust, and forgery with an intention to cheat. The offences are serious in nature and are punishable with life imprisonment. The custodial interrogation of the Applicant is required to ascertain how many other accused persons are involved in the present crime, which pertains to the fraudulent appointment of Sagar. The statement of Sagar indicates that the

Applicant has played an important role in showing a bogus appointment in favour of Sagar. The same therefore needs to be thoroughly investigated, which can only be achieved through custodial interrogation of the Applicant in the present crime. Such custodial interrogation may unearth the entire conspiracy and may lead to further information about other accused persons involved in the present crime. Hence the application may be rejected.

6. I have gone through the investigation papers made available by the learned APP, which have now culminated in the filing of the charge-sheet against the arrested accused person, Balasaheb. A perusal of the same shows that the Education Officer granted approval to the appointment of Sagar as proposed by the Society, through the communication submitted by the Applicant, by order dated 17.12.2011. The said order dated 17.12.2011 granted approval to the unaided post of teacher in favour of Sagar. The Shalarath ID was thereafter issued in the name of the appointed teacher, Sagar. The said post came under a 20% grant from the year 2020. The amount alleged to have been defalcated, i.e., Rs. 3,58,623/-, has already been deposited by the arrested accused Balasaheb, as can be seen from the challan deposited by the Headmaster on 15.06.2023. Nothing remains to be recovered at the instance of the present Applicant. Since the Applicant is the Chairman of the said Society, all communications were issued by him in his capacity as Chairman of Jijamata Shikshan Prasarak Mandal, Takli, Mahada, District Solapur. The Applicant admits to having issued the appointment order to

Sagar. Interestingly, neither the Education Officer who had granted approval nor the candidate Sagar has been added as an accused in the present crime.

. Be that as it may, these observations are prima facie in nature and are made only with purpose to decide the application and the same shall not influence the trial Court. Taking into consideration the nature of allegations and also the fact that the amount alleged to have been misappropriated have already been recovered at the instance of arrested accused, I am inclined to protect the Applicant in exercise of powers under Section 482 of the BNSS, however upon certain conditions. Hence the following order :

ORDER

(i) In the event of arrest of the Applicant - Ashok Ajinath Keche in connection with Crime No.151/2023 registered with Tembhurni Police Station, District Solapur Rural for the offences punishable under Sections 420, 409, 467, 468, 471, 477-A, 465 of the Indian Penal Code, 1860, he be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties in the like amount, on the following conditions :

(a) The Applicant shall attend Tembhurni Police Station, District Solapur Rural on every Friday and Saturday between 11:00 am. to 01:00 pm. and thereafter as when called by the Investigating Officer, till the filing of the charge-sheet.

(b) The Applicant shall not tamper with the prosecution evidence and shall not influence the witnesses.

(c) The Applicant shall submit his Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of himself and two of the near relatives.

(d) A single violation of the conditions would entitle the prosecution to seek cancellation of the bail of the Applicant.

(ii) The application is allowed in the above terms and stands disposed of.

MEHROZ K. PATHAN
JUDGE

NATEEB..