

MHJN010010682026



IN THE COURT OF ADDITIONAL SESSIONS JUDGE-2, JALNA
CRIMINAL BAIL APPLICATION NO.346 OF 2026

Bhanudas Damodhar Gaikwad

.... Applicant/accused

V/s.

The State of Maharashtra

.... Respondent/Prosecution

Appearance :

Shri.Sayyed Tariq, the learned advocate for the applicant

Shri.B.V. Ingle, the learned In-charge D.G.P for the State

Shri.D.D.Deshmukh, the learned advocate for the intervener

ORDER BELOW EXH.1

(Delivered on : 03.07.2026)

. The applicant/accused has preferred application under the provision of Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the “BNSS” for the sake of brevity), apprehending arrest in Crime No.192/2026 registered with Badnapur police station under Sections 409, 420, 406, 447,467, 468, 471 read with Section 34 of the Indian Penal Code (hereinafter referred to as the “IPC” for the sake of brevity).

02. As per the applicant/accused, Extension Officer, Badnapur Dilip Sarode lodged complaint on 29.04.2026 contending that on the direction from BDO Rathod madam, an inquiry report submitted by BDO Zine and Wankhede, it was found that in the year 2012-2013, the Revenue Department had distributed houses to 11 homeless persons of

10 X 10 feet as per extract No.8. However, in the Gram Panchayat Record the entry was taken of 10 X 20 feet, which was done by the then Sarpanch and BDO i.e. co-accused and present applicant/accused Bhanudas Gaikwad who forged the Namuna No.8 without any Resolution and sold the lands. The co-accused and applicant/accused also abetted it. The applicant/accused acted for his benefit. Hence, the complaint was filed.

03. As per the applicant/accused, he is falsely implicated in the offence. At the relevant time, he was working as Village Development Officer. He has only issued Namuna No.8 for collecting taxes for the residence. Issuance of Namuna No.8 does not prove handing ownership. It is only for collection of tax. He was issuing the extract with the Resolution of the Gram Panchayat. In similar allegations the Hon'ble Bombay High Court has granted bail to one Ambadas Kale. Prima-facie allegations are not proved. There is nothing to be recovered from the hands of this applicant/accused. He is ready to abide by the terms and conditions of bail if imposed on him.

04. The prosecution resisted the application by filing say at Exh.05. It is contended that the offence is serious in nature. Co-accused along with applicant/accused cheated informant by making unauthorized records without taking Resolution and by using whitener on Form No.8 of the land records and grabbed the land of 11 beneficiaries and sold it. The documents are to be recovered, handwriting samples are to be collected. Investigation is in progress. The prosecution apprehends that in case the applicant/accused is released on bail, he will tamper the evidence and threaten the witnesses. Hence, the application is sought to be rejected.

05. The intervener resisted the bail application by filing say vide Exh.6. He contended that, Crime No. 0192/2026 was registered at Badnapur Police Station relating to misappropriation, forgery, cheating, and criminal breach of trust. He was the person who consistently exposed and pursued the illegal activities concerning Gram Panchayat/Gavthan land before various Revenue, Gram Panchayat, and Police Authorities. He has filed several complaints and continuously followed up the matter, resulting in the discovery of material facts and eventual registration of the FIR.

06. Although he is not the formal complainant in the FIR, he claims to be the real aggrieved person who brought the illegal acts to the attention of authorities and actively assisted in uncovering the offence. The allegations involve illegal mutation entries, forged documents, encroachment, and unauthorized transfer or sale of Government and Gram Panchayat land through abuse of official position, causing substantial loss to public property and public interest. The investigation is at a crucial stage, and custodial interrogation of the applicant/accused is necessary for recovery of documents, identification of beneficiaries, verification of forged records, and uncovering the wider conspiracy. In case, the applicant/accused is released on bail, he may tamper with evidence, influence witnesses, and obstruct the investigation. Hence, the application is sought to be rejected.

07. Heard learned advocate Shri.Sayyed Tariq for the applicant/accused, the learned In-charge D.G.P. Shri.B.V. Ingle for the State and Shri.D.D.Deshmukh, the learned advocate for the intervener. Perused the copy of FIR and police papers submitted by the prosecution.

08. The learned advocate for the applicant/accused submitted that there is unexplained delay of more than 10 years, which is unexplained. The applicant/accused was Village Development Officer in the year 2011 and 2012.

09. From the reply of prosecution and police papers, it is seen that the investigation is pertaining to the documentary evidence, which is almost completed. Nothing is shown to be recovered or discovered from the custody of this applicant/accused for which his custodial interrogation would be required. The apprehension of the prosecution can be taken care of by imposing stringent conditions on the applicant/accused. Hence, the applicant/accused is entitled to be released on bail. With this, I pass the following order: -

ORDER

- 1) Criminal Bail Application No.346/2026 is allowed.
- 2) In the event of arrest of the applicant/accused **Bhanudas Damodhar Gaikwad**, in Crime No.192/2026, registered with Badnapur Police Station, he be released on P.B. and S.B. of Rs.25,000/- (Rupees Twenty-five Thousand only) with one or two sureties in the like amount, on the following conditions:-
 - a) The applicant/accused shall appear before at Police Station Badnapur, on alternate Wednesday of every month between 01.00 p.m. to 04.00 p.m. till filing of charge-sheet.
 - b) The applicant/accused shall not contact the informant or witnesses in any manner.
 - c) The applicant/accused shall not tamper with the evidence.
 - d) The applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the

facts of this case so as to dissuade them from disclosing such facts to the Court or the police officer.

e) Breach of any condition will amount to cancellation of anticipatory bail forthwith.

3) Criminal Bail Application No.346 of 2026 stands allowed and disposed of accordingly.

(Dictated and pronounced in open Court)

Date: 03.07.2026

(NAZERA S. SHAIKH)
Additional Sessions Judge-2
Jalna.

CERTIFICATE

I affirm that the contents of this PDF file are word to word as per original.

Name of Stenographer	: P.S.Tayade
Name of the Court	: Court of Addl. Session Judge-2, Jalna
Date of PDF	: 03.07.2026

Stenographer