

MHND010013162026



IN THE COURT OF SESSIONS, AT NANDED
DIST. NANDED.

ANTICIPATORY BAIL APPLICATION NO. 448 OF 2026
IN
(CR NO. 485/2026 of Nanded Gramin Police Station)

Shankar Sadashiv Bothikar

Age : 47 years Occu: Service

R/o. Bothi, Post Baur,

Tq. & Dist. Hingoli

At present R/o. Chaitanya Nagar,

Nanded.

...Applicant

V/s.

The State of Maharashtra

(At the instance of Nanded Gramin

Police Station)

...Respondent

Appearance :-

Ld. Advocate Mr. Y.S Ardhapurkar for applicant.

Ld. APP Mr. Y.S Talegaonkar for State.

CORAM : ADDL. SESSIONS JUDGE-1, NANDED
SHRI. T.T. AGLAWE,

:- ORDER :-

(Date :-10-06-2026)

Apprehending his arrest in Crime No. 485 of 2026, registered with Nanded Gramin Police Station for the offences punishable under Sections 409, 420, 465, 467, 468, 471, 120-B of Indian Penal Code, the applicant has filed present application for pre-

arrest bail under Section 482 of the Bhartiya Nyaya Sanhita, 2023 (in short 'BNS').

2. Perused application and reply of Investigating Officer below Exh. 08.

3. Heard Learned advocate for the applicant and learned Addl. PP for the State.

4. The case of prosecution is that, co-accused got elected as Sarpanch of Gram Panchayat Wajegaon in the year 2010. During his tenure the Sarpanch has withdrawn an amount in the name of a dead person. At material point of time, the applicant was working there as Gramsevak. The co-accused made false document and committed forgery alongwith applicant and another Gramsevak. The applicant alongwith Sarpanch and other Gramsevak committed misappropriation and committed breach of trust causing wrongful loss of Rs. 2 Crore 84 Lakh to the Government.

5. The Ld. Advocate for the applicant submits that there is limited allegations against present applicant. The allegation is misappropriated of Rs. 10,000/- only which applicant has already deposited. At the most, there can be case of negligence against the applicant. Now, the applicant is transferred to other place. Nothing is to be recovered from him. The applicant is ready to abide all the terms and conditions.

6. On the other hand, the Ld. APP has argued that FIR of the investigation so far prima facie show that offence has been committed and the applicant is involved therein. The investigation is pending. Applicant is absconding. Applicant has active participation in the offence. Therefore, his custodial interrogation is necessary.

7. The informant / complainant has filed his affidavit / written notes of arguments below Exh. 11 opposing the bail application. The Advocate for informant has relied on two citations .i.e **1) Y.S Jagan Mohan Reddy Vs. Central Bureau of Investigation, AIR 2013 SC 1933** and **2) Tarun Kumar Vs. Assist. Director Directorate of Enforcement, 2023 INSC 1006.**

8. I have gone through the authorities.

9. The period of occurrence is from August 2010 to September 2019. FIR is registered on 01-05-2026. FIR specifically alleges forgery, fabrication of document and misappropriation of huge amount of Rs. 2.85 Crore by all three accused in furtherance of their common intention. Say of I.O reflects that the C.E.O of Zilla Parishad has directed for recovery of the said amount from the accused Nos. 1 to 3. Say of I.O further reflect that the applicant is absconding. HE has not co-operated with the investigation. The period of occurrence having long tenure. The investigation is pending. It appears that the investigation resolves around huge period, bulky documents and also the Government records. In this circumstances, the arrest and custodial interrogation of applicant maybe necessary for detailed

investigation. Considering the nature of the offence and gravity of the punishment, this is not a fit case for grant of pre-arrest bail. Hence, the following order :-

ORDER

The application is rejected.

Date : 10.06.2026

(T.T. Aglawe)
Addl. Sessions Judge-1,
Nanded.

CERTIFICATE

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

Name of stenographer	Y.S. Kausadikar, Grade-1
Name of Court	Addl. Sessions Court-1, Kandhar
Date of Dictation	10.06.2026
Order signed by the P.O on	10.06.2026
Order uploaded on	10.06.2026

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