

MHRG170003732026



**IN THE COURT OF ADDITIONAL SESSIONS  
JUDGE AT PANVEL, DISTRICT- RAIGAD**

**Criminal Bail Application No. 178/2026**

**Jagdish Nathubhai Patel**

---Applicant

**Vs.**

**State of Maharashtra**

--- Opponent

**Appearance-**

Ld. Advocate Shri. H.M. Salunke for applicant.

Ld. Addl. P P Shri. A.R. Kadam for State.

**ORDER BELOW EXH. 1**

1. This is an application filed by applicant **Jagdish Nathubhai Patel** under Section 482 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (in short "BNSS") for anticipatory bail.
2. I.O. has filed say to this application at Exh.5 and strongly opposed the bail application.
3. Perused application, say thereon and documents produced on the record. Heard both sides.

4. Ld. Advocate for applicant submitted that, the applicant is innocent person and falsely implicated in the present crime. The name of the present applicant is not mentioned in the FIR. MSETCL has already forfeited security amount Rs.70,00,000/- of main contractor Rahul Cables Private Limited. Alleged shortage of scarp material is the internal calculation, which does not automatically constitute criminal offence against the applicant. Co-accused is already on bail. There is no material against the applicant. Applicant has no criminal antecedent. The applicant is senior citizen. Therefore, custodial interrogation of the applicant is not necessary. The applicant is ready to abide any condition to be imposed by the Court. He is ready to co-operate the investigating agency.
5. Ld. Addl. P. P. Shri. A.R. Kadam submitted that offence is of serious nature. Present applicant in furtherance of common intention with other accused prepared false documents and dishonestly misappropriated 146.135 metric tone scrap material by showing false entry of 19 trips of vehicle. Material in 81 vehicles found to be short. Detail investigation is necessary. If the applicant is released on anticipatory bail, there is possibility of tampering evidence and pressurizing of prosecution witnesses. Considering the nature and gravity of the offence, it is not proper to release applicant on

anticipatory bail. Hence, prosecution prayed for rejection of bail.

6. Perused FIR and documents placed on record. Informant Brahm Narsingh Chavan is Junior Executive Engineer of MSETCL Company, Sub-Division, Aapta, Mauje Jatade, Post Savale, Tal. Panvel, District-Raigad. He is working in the said division since 05/12/2023. From 2015 to 2022 scrap material conductor of 230 metric-tones were deposited in the said Sub-Division from time to time as per oral order of senior officer. On 18/01/2024, Deputy Executive Engineer Vishal Harse filed a written complaint against Yogesh Shaligram Rahangadale contending that he had illegally disposed of scrap material copper cable and conductor without making gate-pass. The said materials were disposed of without entry. Thereafter, detail inquiry was done. In the said inquiry it was found that the said scrap materials were under control of Yogesh Shaligram Rahangadale. Material cable conductor which was stored on the backside of battery room of Aapta Sub-Division was removed without making entry in the register by M/s. DK Metal company. On inquiry it was found that out of 230 metric tones scrap conductor, 122.25 metric tones scrap conductor have been misappropriated. Therefore, informant lodged report to Rasayani Police Station C.R.No.66/2025 for the offences punishable under Section 420, 409 read with 34 of the IPC.

7. During investigation it was revealed that the applicant is sub-contractor employed by Rahul Cables Private Limited. The applicant prepared forged challan and obtained signature of the security guard. 100 trips of vehicles were shown in the register. However, only 81 trips were done. Despite this material found in 81 trips are also short. The applicant in furtherance of common intention with co-accused has misappropriated 146.135 metric tones scrap material valued Rs. 88,43,400/-. It appears that recovery has not been done. The applicant prepared false gate-pass and other documents. Offence under section 467 of the IPC is punishable with life imprisonment. Offence is of serious in nature. Considering nature and gravity of the offence, custodial interrogation of the applicant is necessary. Hence, I am not inclined to grant anticipatory bail to the applicant. As a result, I pass following order.

**:: ORDER ::**

1. Application (Exh.1) is rejected.
2. Inform concerned police station accordingly.

Panvel,  
Dated :- 11/03/2026

(S. R. Chavan)  
Addl. Sessions Judge  
Panvel, Dist.-Raigad