

MHST210003542026



Cri. Bail Appln. No.161/2026

Sharad Ahiwale Vs. State
(Phaltan City Police Station C. R. No.276/2026)

ORDER PASSED BELOW EXH.04.

(Dtd. 21.08.2026)

01. This is an ad interim anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023.

02. The applicant/accused **Sharad Mahadev Ahiwale** is apprehending his arrest in Crime No.276/2026 for the offence punishable under sections 316(5), 318(4), 3 (5) of the Bharatiya Nyaya Sanhita, 2023 registered at Phaltan City Police Station, Phaltan.

03. The prosecution case is that :

The complainant Jagdish Bhaurao Mali lodged a complaint on 28.07.2026 at Phaltan Rural Police Station that he worked as Assistant Tax Inspector at Phaltan Municipal Council for the last 16 years. His duties were to supervise the staff to collect the property tax, to record the documents about the transfer of property etc. The previous Chief Officer had allotted the duty of Clerk to the Sweeper Pradip Kakade. He had allotted the duty of Computer operator to the accused Nitin Wala, who was sweeper in the Municipal Council. The present applicant/accused Sharad Ahiwale worked as Clerk.

04. He had mentioned that on 09.07.2026, one Balu Wadekar and Smt. Mangal Balu Wadekar lodged a complaint to the Chief Officer of the Municipal Council that they had paid property tax and water tax of Rs.28,000/- but they had not received the receipt of it. One Sunil Amrut Jankar also lodged a complaint that he had paid an amount of Rs.22,000/- online towards the property tax and water tax to the Pradip Kadade but he had not given him the receipt. One Smt. Rukmini Ramdas Manjule also lodged a same complaint on 22.07.2026 that she had paid amount of Rs.24,000/- towards Property Tax and Water Tax to the Pradip Kakade in the month of March 2026 but he had not given her the receipt. Similarly, Kashibai Jayram Mane lodged similar complaint about payment of Rs.40,000/- and not receiving the receipt. One Ayyaj Kotwal lodged complaint on 13.07.2026 that he had paid the property tax and water tax amount of Rs.20,000/- through cheque to the present accused Sharad Madhav Ahiwale but he was given receipt about other property. One Vijay Suresh Malani also lodged a complaint on 13.07.2026 that he had given the cheque of Rs.1,38,262/- to the present accused Sharad Ahiwale but he was given the receipt of amount of Rs.1,21,863/- and he did not receive the receipt for Rs.16,399/-.

05. Thereafter, the complainant checked the records of the property tax and water tax, he found that the clerks Pradip Kakade and the present accused Sharad Ahiwale had not prepared the receipts of receiving the money. He enquired with the Computer operator Nitin Wala. The accused gave written statement that he used to accept an amount of Rs.500/- or Rs.1000/- for entering the new

properties, valuation of the properties, to remove the names of tenants on computer etc. He found that he had deliberately suppressed the fact about the collection of tax amounts and cheated the Municipal council. The Chief Officer found that he had helped the clerk Pradip Kakade to misappropriate an amount of Rs.1,14,000/- and the present accused Sharad Ahiwale to misappropriate an amount of Rs.36,399/-. So the Chief Officer of the Municipal Council directed to lodge complaint against all the accused. Accordingly, he lodged the complaint against the accused. The police registered the above offences against the accused. The accused is apprehending his arrest in this offence.

06. The applicant/accused states that this is a false complaint lodged against him. He has not committed criminal breach of trust. He has not received a single rupee in this offence. He is made scapegoat in this offence. He states that he had handed over the cheques to the Account Department. There is irregularity in maintaining the accounts. He states that his custodial interrogation is not necessary. He has prayed to impose stringent conditions like daily attendance to the police station. He has assured to obey the terms and conditions imposed by the Court. Lastly, he has prayed to allow his ad interim anticipatory bail application.

07. Perused the papers filed along with the bail application. Section 318(4) of the BNS is punishable with imprisonment up to seven years and fine. Section 316(5) of the BNS is punishable with imprisonment for life, imprisonment up to ten years and mandatory

fine. There are serious allegations against the present accused that he has accepted the money and not given the receipts to the public. The witnesses are from the office of the accused. The investigation of the offence is in progress. The offence is about misappropriation of Government money. The custodial interrogation of the applicant/accused is necessary. This is not a fit case to release the applicant/accused on ad interim anticipatory bail. Accordingly, I pass the following order :

ORDER

The bail application of the applicant/accused **Sharad Madhav Ahiwale** is hereby rejected.

PHALTAN

Date : 21/08/2026

(P. G. Bhosale)

Addl. Sessions Judge, Phaltan.