

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

ANTICIPATORY BAIL APPLICATION NO. 1895 OF 2023

Anwar Jamal Ahmed, IFS (Retd.) ...Applicant

vs.

The State of Maharashtra ...Respondent

**ALONG WITH
ANTICIPATORY BAIL APPLICATION NO. 1896 OF 2023**

Satish Gangadhar Phale ...Applicant

vs.

The State of Maharashtra ...Respondent

**ALONG WITH
ANTICIPATORY BAIL APPLICATION NO. 1969 OF 2023**

Ashok Kumar Purushottam Singh ...Applicant

vs.

The State of Maharashtra ...Respondent

**ALONG WITH
ANTICIPATORY BAIL APPLICATION NO. 1970 OF 2023**

Shirishkumar Vishwanath Rajwade ...Applicant

vs.

The State of Maharashtra ...Respondent

Mr.A.P.Mundargi – Senior Advocate a/w Mr.Vikas Kapile – Advocate
for Applicant in ABA No. 1895 of 2023.

Mr.D.U.Mirajkar a/w Mr.Vikas Kapile – Advocate for Applicant in
ABA No. 1896 of 2023.

Mr.Vinay Bhanushali a/w Mr.Sanmit Vaze – Advocate for Applicant in
ABA No. 1969 of 2023 and ABA No.1970 of 2023.

Mr.Santosh Raut – Dy.S.P – EOW - Palghar.

Satish Sangar

CORAM : S. M. MODAK, J.

DATED : 13TH JULY 2023

P. C. :

1. Heard learned Senior Advocate Shri.Mundargi and also heard learned Advocate Shri.Bhanushali in ABA No. 1969 of 2023 and ABA No.1970 of 2023. ABA No. 1969 of 2023 and ABA No.1970 of 2023 were taken on board as per the oral request as other two connected ABAs are on board. Also heard learned APP Investigating Officer is present.

2. All of them apprehends an arrest in connection with C.R. No. 197 of 2022 registered with Jawhar Police Station on 12th October, 2022. It is for the offences under Sections 120-B, 196, 218, 406, 408, 420, 467, 468, 471, 409 read with 34 of Indian Penal Code, 1860 [“IPC”]. Now, the Economic Offences Wing – Palghar is investigating that offence.

3. These Applicants are working in forest department and the offence is registered on the background of some internal enquiry on the complaint lodged by private person. The sum and substance of the allegation in the FIR is that these Applicants working on different posts have not fulfilled their responsibilities, they have not verified

the papers and certain civil work costing Rs.78,16,78,868/- was carried out. The allegation is that it was only shown on paper that this work was carried out but in fact on the site, it was not carried out and all forged documents are prepared and money is appropriated.

4. Even though their Anticipatory Bail Applications were rejected by the Court of Sessions Judge – Thane, they were on interim bail during pendency of that Application. There is no grievance that during that period, they have not cooperated the investigation. For hearing this Application, it will take time. Today, the Court is not sitting in the second half. So, let them be granted interim protection.

Hence, order :-

ORDER

- (i) In case of an arrest in connection with C.R. No. 197 of 2022 registered with Jawhar Police Station – District : Palghr for the offences punishable under Sections 120-B, 196, 218, 406, 408, 420, 467, 468, 471, 409 read with 34 of IPC, the Applicants – (i) Anwar Jamal Ahmed ; (ii) Satish Gangadhar Phale ; (iii) Ashok Kumar Purushottam Singh and (iv) Shirishkumar Vishwanath Rajwade be released on furnishing personal bond and surety bond of Rs.25,000/- each.
- (ii) They are directed to cooperate the Police as and when required.
- (iii) Applicants not to threaten the Prosecution witnesses

or to allure them in any manner.

(iv) Applicants not to leave the territorial limits of State of Maharashtra.

5. Matter be kept on **27th July, 2023**.
6. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]