



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (ABA) NO.477/2026

Shri Tulshiram s/o Ramkrishna Datarkar and another

Vs.

The State of Maharashtra thr. P.S.O., Police Station Kelvad (Rural), Tq. Saoner,
Dist. Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri Anirudh A. Krishnan, Advocate for applicants
Ms Soniya N. Thakur, APP for non-applicant/State

CORAM : PRAVIN S. PATIL, J.

DATE : 11.06.2026

1. Heard.
2. Issue notice to the non-applicant, returnable on 23.06.2026.
3. Learned APP waives notice for non-applicant/State.
4. The applicant is apprehending the arrest in connection with Crime No.261/2026 dated 15.05.2026 registered with Police Station, Kalwad, District Nagpur, for the offences punishable under Sections 420, 409, 467, 468, 471 and 34 of the Indian Penal Code, 1860.
5. The applicant has pointed out that applicant No.1 is the son of applicant No.2. The issue involved in the present matter is about construction of well under the Mahatma Gandhi National Rural Employment Guarantee Scheme by present applicant. The allegations are that all accused

persons have shown work of repairing and new construction for the single irrigation well, but, on record, same was shown the work of two wells. As such, Government Fund has been misappropriated in the matter.

6. It is the contention of the present applicant that the Investigating Officer has issued a notice to applicant No. 2, who is the father of applicant No. 1, informing him that the Investigating Officer does not require the custody of applicant No. 2 in the matter while filing the charge-sheet, and he has to only remain present at the time of filing of the charge-sheet before the Court.

7. It is the submission of applicant No.1 that he being the son of applicant No.2 nowhere related in the matter and no such notice was received to him from the investigating officer in the matter. The fact remains, if the investigating officer does not require the custody of the applicant No.2, then it can be said that the custody of the applicant No.1 at this stage is also not required as he is the son of applicant No.2 by the investigating officer in the matter. In the circumstances, there shall be ad-interim protection to the present applicant in the matter. Accordingly, I proceed to pass the following order:

ORDER

i) In the event of arrest in Crime No.261/2026 dated 15.05.2026 registered with Police Station, Kalwad, District Nagpur, for the offences punishable under Sections 420,

409, 467, 468, 471 and 34 of the Indian Penal Code, 1860, the Applicant No.1 – Shri Tulshiram S/o Ramkrishna Datarkar and Applicant No.2- Shri Ramkrishna s/o Natthu Datarkar be released on bail on their executing PR Bond in the sum of Rs.25,000/- each with one solvent surety in the like amount.

ii) The Applicants shall attend Police Station Kelwad, District Nagpur, on every Monday and Friday from 11.00 a.m. to 01.00 p.m. till the filing of the charge-sheet and shall co-operate in the investigation.

iii) The Applicants shall also attend the Police Station Kelwad, District Nagpur, if otherwise required on other days by the investigation officer with prior intimation from the investigation officer.

iv) The Applicants shall, at the time of execution of bond, furnish their address and telephone/mobile number(s) to the Investigating Officer and the Court concerned, and shall not change the same till the final disposal of the case.

v) The Applicants shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any Police Officer.

vi) The Applicants shall not obstruct or hamper the police investigation and not play mischief with the

evidence collected or yet to be collected by the Investigating officer.

8. Stand over to 23.06.2026.

(PRAVIN S. PATIL J.)

R.S. Sahare