FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

CRIMINAL APPLICATION NO. 6559 OF 2014

PANDURANG S/O HANUMANTRAO BOYANE
VERSUS
THE STATE OF MAHARASHTRA
...

Advocate for Applicants : Mr. Patil Kalyan V.
APP for Respondent: Mr. R. P. Phatke.
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CORAM: T. V. NALAWADE, J.
DATED: 16th FEBRUARY, 2015.

PER COURT:

1. The application is filed for bail. Both the sides are heard. This Court has perused the papers of investigation.

2. The crime is registered against the applicant for offence punishable under section 420, 467, 471, 34 etc. in MIDC Police Station, Latur. He has been behind bars since 10th November, 2014.

3. It appears that Plot No.114 and 140 belonged to the complainant and he has purchased these plots under

sale deed dated 20th June, 2012 from the original owner. Entry of the sale deed is made in revenue record. As per the case of the complainant, after purchasing the plots, when he went to the said plots, some persons obstructed him. He wanted to fix his name plate on the plots. In view of the dispute created by those persons, complainant searched the record and he found that some mischief is done.

4. According to the complainant, the present applicant and others have created some false record by joining hands with the Gram Sewak. Allegations are made that when the original owner had not transferred the property to Nandu Alandkar record was created in the village Panchayat to the effect that original owner had sold the plots to Nandu Alandkar. On that basis 8A extract were created. On the basis of 8A extract Nandu Alandkar sold the two plots to one lady Meena Saraf under sale deeds. Each plot was sold for consideration of Rs.25,000/-.

5. The peculiar modus operandi was used. Nandu Alandkar prepared affidavit to the effect that the sale deed in his favour was missing. No such record was produced. The number of sale deed was given which was false and under that sale deed the property from

Nandu Alandkar was sold and not the property from the present applicant. On the affidavit present applicant has signed as a witness.

6. Report of the Investigating Officer shows that the present applicant is main person behind creating false record and selling the property to others. In the report of the investigating officer that affidavit was used but the consideration was received by the present applicant. Thus, there are serious allegations against the present applicant. By creating aforesaid false record he collected Rs.5o,000/- and he has created complication for everybody.

7. Only because the present applicant is behind bars since 10th November, 2014 and in view of the nature of allegations, this Court holds that subject to some conditions bail can be granted to the applicant. No other antecedents are reported against the applicant.

8. In the result, the application is allowed subject to condition of deposit of Rs.50,000/- in the aforesaid crime, The amount is to be accepted as the stolen property. The applicant is to be released on bail on his furnishing P.R. and S.B. of Rs.30,000/- with one solvent surety for the like amount. He is not to tamper with the

prosecution witnesses. He is not to commit similar offence.

[T. V. NALAWADE, J.]

Dt.16/02/2015
ans/6559