

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Naved A. Khan	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.E.B.Dixit i/b Mr.P.R.Yadav, for the Applicant.
Ms.PPShinde, APP for the Respondent – State.
PI – A.H.Shinde, Colaba Police Station.

CORAM : REVATI MOHITE DERE, J.
DATED : 18th MARCH, 2015.

P.C.

1. Heard learned counsel for the applicant and learned APP for the Respondent – State.
2. By this application, the Applicant seeks pre-arrest bail, in connection with C.R. No. 173 of 2014, registered with the Colaba Police Station, Mumbai, for the alleged offences punishable under Sections 420, 465, 467, 468, 471, 34 of the Indian Penal Code.
3. Learned Counsel for the applicant states that the applicant was the sub-contractor in the project and was not aware of the false and fabricated

documents. He submitted that being a sub-contractor his job was to perform the work awarded to him, which was to demolish the building and construct the floors. He submits that the applicant had no reason to believe that the building did not have the requisite permission to construct the illegal floors. He submits that all the documents which are alleged to be false and fabricated were prior to awarding of the sub-contract to the applicant, who was the contractor.

4. Learned APP does not dispute the fact that the applicant is a sub-contractor and that the permissions that were alleged to be forged and fabricated were obtained prior to awarding of the contract to the present applicant.

5. Considering the nature of allegations, the applicant deserves to be granted pre-arrest bail on the following terms and conditions ;

ORDER

- i) In the event of arrest, the Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount ;
- ii) The Applicant shall attend the Colaba Police Station,

Mumbai on every Saturday, between 10.00 a.m. to 12.00 noon, till the filing of the charge-sheet ;

- iii) The Applicant shall not tamper or attempt to influence any person concerned with the case ;
- iv) The Applicant shall co-operate in the conduct of the trial ;

6. The Application is allowed and disposed of in above terms.

7. The aforesaid observations are prima-facie, and the Trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

8. Parties to act upon an authenticated copy of this order.

(REVATI MOHITE DERE, J.)