

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**ANTICIPATORY BAIL APPLICATION NO. 992 OF 2015**

|                                 |                |
|---------------------------------|----------------|
| Ramdas Jagannath Mayekar & Anr. | ... Applicants |
| Vs.                             |                |
| The State of Maharashtra        | ... Respondent |

Mr. P.G. Parkar i/b. Mr. Jagdish H. Sawant, Advocate for the applicants.  
Mrs. Veera Shinde, APP for the respondent/State.  
Mr. Shekhar Ingawale, Advocate for the complainant.

CORAM: **MRS.MRIDULA BHATKAR, J.**  
DATE : **JULY 28, 2015**

**P.C.:**

This Application is moved for pre-arrest bail, as the applicants/accused are apprehending arrest under sections 419, 420, 465, 468 and 471 of the Indian Penal Code in C.R. No. 1/2014 of Nate Police Station, Taluka Rajapur, District Ratnagiri.

2. It is the case of the prosecution that one Ankush Arjun Parkar was the owner of the land and after his death, his wife was shown as legal heir in 7/12 extract. She died in December, 2010 and thereafter daughter Kusum Parkar alias Deepa Shinde represented her application for entering her name in the record. However, on 20<sup>th</sup> May, 2004 it was found that original accused nos. 1 to 3 and 5 produced fake family tree, fake witnesses statement and got their names entered as legal heirs of Malathi Parkar and grabbed the land.

3. The learned counsel for the applicants/accused submitted that original accused nos. 4 and 8 have acted only as pancha, who confirmed that co-accused are the legal heirs of Ankush Parkar. He submitted that they are residents of same village and applicants/accused believed that co-accused are the real legal heirs of Ankush and therefore they signed as witnesses.

4. Learned APP opposed the Application. She produced three panch yadis on which the applicants/accused have signed as witnesses confirming the relationship of co-accused with Ankush Parkar. She further submitted that when applicant/accused Devendra was protected by interim bail, he threatened the complainant and witnesses and thereafter an offence is registered in C.R. No. 28 of 2015 on 18<sup>th</sup> July, 2015.

5. Perused the FIR, panch yadis and the documents produced by both the parties. *Prima facie* it appears that the applicants/accused have signed those documents confirming the relationship of co-accused with deceased Ankush Parkar. They are not denying this fact. Under such circumstances, I am of the view that custody of these applicants/accused is not required considering the limited role played by them. So far as registration of the offence against Devendra is concerned, a counter case at C.R. No. 29/2015 at Sagari Purangad Police Station is registered on 18<sup>th</sup> July, 2015. Considering this, interim protection granted by this Court

on 14<sup>th</sup> July, 2015 is hereby confirmed on the same terms and conditions till filing of the charge sheet. Besides this, the applicants/accused shall not indulge into any criminal activity and shall not try to pressurize the complainant or witnesses.

6. The Application stands disposed of on above terms.

**(MRS.MRIDULA BHATKAR, J.)**