

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT NAGPUR

CRIMINAL APPLICATION (BA) NO. 231 OF 2015

(PRAVIN YADAV BHONGADE & ANR...VS..STATE OF MAH. THR. PSO SHIRPUR, YAVATMAL)

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

Court's or Judge's orders

Mr. Abhay Sambre, Advocate for Applicants.
Ms Kalyani Deshpande, A.P.P. for Non-applicant/State.

CORAM : M.L.TAHALIYANI, J.
DATED : MAY 19, 2015.

Heard both sides.

2. The applicants are in custody since 18.03.2015 in F.I.R. No. 19/2015 of Shirpur Police Station for the offences punishable under Sections 420, 468, 471 read with Section 34 of the Indian Penal Code. The offence was registered on the complaint made by one Sambha Vithu Shikhare. He was owner of land situated at Mouza : Chargaon No.103, Survey No.34/3, area admeasuring 1.97 HR and 0.24 HR levy of Rs.6, Class I land. It was later on revealed to him from the revenue record that the said land has been sold to the present applicant No.1 by one Linga Trishulwar (arrested accused) for a sum of Rs.11,00,000/-. The said Linga personated himself as complainant and sold the land to the applicant No.1. In all there are six accused, including the applicants. Other accused are the vendor of Linga, two brothers and two witnesses.

3. It is submitted by Mr. Sambre that the applicant No.1 was *bonafide* purchaser of the land and that he could have been the best witness for the prosecution. It is submitted by Mr. Sambre that the applicant No.1 does not deny the signature of the document and he admits the alleged forged document. As already stated, he claims to be the *bonafide* purchaser.

4. As far as applicant No.2 is concerned, he was proposed to be a witness. However, his name was later on deleted and some other witness was invited for signing the documents.

5. As the whole case depends upon the bonafides of the applicants. Rest of the investigation is complete. The applicants are in custody for a reasonable long time. In my opinion, they are entitled for bail. Hence, I pass the following order :

The applicants be released on bail in the sum of Rs. Twenty Five Thousand each with one solvent surety each in the like amount or cash deposit of Rs. Twenty Five Thousand each in lieu of the surety.

They shall attend the office of the Investigating Officer as and when required till chargesheet is filed.

JUDGE

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