

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1681 OF 2016

Raosaheb Vishwanath Tagad
Age 31 years, Occu.: Labour,
R/o Tapowan Road, Ahmednagar,
Dist. Ahmednagar .. Applicant

Vs.

The State of Maharashtra
Through Investigating Officer,
Tofkhana Police Station,
Ahmednagar, Dist. Ahmednagar .. Respondent

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Mr. R.V. Gore, Advocate for the applicant
Mr. A.R. Borulkar, APP for the respondent-State

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CORAM : M.T. JOSHI, J.
DATED : 16/04/2016

ORAL ORDER :

Heard both sides.

2. The present applicant, who is arrested by Tofkhana Police Station, Dist. Ahmednagar in Crime no.I-403 of 2014 for the offences punishable under section 420, 465, 467, 468, 470, 471 r/w. 34 of the Indian Penal Code, is praying for his release on bail.

3. The complaint filed by the P.S.I. Laxman Kale would show that the present applicant is already convicted for the offence punishable under section 302 of the Indian Penal Code and as such is serving the life term in the jail. While he was released on parole, he fabricated documents to show that he was a child in conflict with law at the time of the commission of the offence and, therefore, tried to get his release from the High Court of Judicature of Bombay, Bench at Aurangabad in Criminal Appeal No. 179 of 2008. As this Court has directed to make enquiry, finding the documents suspicious, it was ultimately found that the applicant has prepared fabricated documents regarding his school leaving certificate, while he was found to have not even taken admission in the said school.

4. Learned counsel for the applicant submits that the applicant is serving the life term, however, as he is an under-trial prisoner in the present case, he is

unable to get his release on parole.

5. Learned A.P.P. opposed the application.

6. Considering all the material on record and the seriousness of the offence and the fact that the present applicant is already serving the life term, no case is made out for his release on bail.

7. The Application is therefore dismissed.

Sd/-

[M.T. JOSHI]
JUDGE

arp/-