

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3395 OF 2016

Jayram S/o Maruti Bule,
Age : 45 years, Occu.: Service,
R/o. Vishalnagar Garkheda Parisar,
Dist. Aurangabad .. Applicant

Vs.

The State of Maharashtra
Through Investigation Officer,
City Chowk Police Station,
Aurangabad .. Respondent

AND

CRIMINAL APPLICATION NO. 3474 OF 2016

Shaikh Riyaz Shaikh Mujib,
Age : 40 years, Occu.: Labour,
R/o. Kala Darwaja, Near Nawab Masjid,
Aurangabad .. Applicant

Vs.

The State of Maharashtra
At the instance of City Chowk
Police Station, Aurangabad .. Respondent

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Mr. V.D. Sapkal, Advocate h/f Mr. G.J. Pahilwan,
Advocate for the applicant (3395/2016)
Mr. A.K. Bhosale, Advocate for the applicant (3474/2016)
Mr. S.J. Salgare, APP for the respondent-State

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CORAM : N.W. SAMBRE, J.
DATE : 03/08/2016

ORAL ORDER :

Heard.

2. Leave to correct name of applicant in Criminal Application No.3374 of 2016.

3. Both these applicants are seeking regular bail in Crime no.266 of 2016 registered at City Chowk Police Station, Dist. Aurangabad for the offences punishable under section 420, 468, 470, 471 r/w. 34 of the Indian Penal Code.

4. The applicants came to be arrested, pursuant to the complaint lodged by the Deputy Engineer, Town Planning, Municipal Corporation, Aurangabad, wherein during measurement of a plot, it was noticed that the applicants have issued forged occupancy certificate.

5. The applicants were arrested in the crime on 11/6/2016 and are subjected to custodial interrogation.

6. The offence is based on the documentary evidence.

7. It is required to be noted that the learned A.P.P. opposed the bail on the ground that the applicant, namely, Jayram S/o Maruti Bule is shown to be an accused in another crime i.e. crime no.315 of 2016. So far as the crime in question i.e. Crime no.266 of 2016 is concerned, *prima facie*, it is noticed that after custodial interrogation, nothing incriminating could be recovered from the applicants. Apart from above, the applicants are the public servants.

8. The further detention of the applicants will be of hardly any consequence. As such, both the Applications stand allowed in following terms:

9. The applicants be released on bail in Crime no.266 of 2016 registered at City Chowk Police Station, Dist. Aurangabad for the offences

punishable under section 420, 468, 470, 471 r/w. 34 of the Indian Penal Code, upon their executing P.R. bonds in the sum of Rs.15,000/- (Rs. Fifteen Thousand) each with one surety each in the like amount.

10. The applicants shall not tamper with the prosecution evidence or influence the witnesses in any manner.

11. The applicants shall not enter the municipal corporation of Aurangabad or its any of the subordinate offices till the conclusion of the trial.

12. Both Criminal Applications stand disposed of accordingly.

[N.W. SAMBRE]
JUDGE

arp/-