

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.3981 OF 2016

1. Prashant Pralhad Dhole,
Age : 40 years, Occu. Service,
R/o Pitreshwar Colony, Shirpur,
Tal. Shirpur, Dist. Dhule
 2. Yashwant Waman Patil,
Age : 62 years, Occu. Retired,
R/o Mahalaxmi Colony, Shirpur,
Tal. Shirpur, Distt. Dhule
- ..APPLICANTS

VERSUS

1. The State of Maharashtra
Through Police Station Officer,
Shirpur City Police Station, Shirpur,
Tq. Shirpur, Distt. Dhule
 2. The Superintendent of Police,
Dhule, Dist. Dhule
- ..RESPONDENTS

Mr Pawan B. Pawar, Advocate for applicants;
Mr A.S. Shinde, Addl. Public Prosecutor for respondents

CORAM : N.W. SAMBRE, J.

DATE : 10th August, 2016

ORAL ORDER :

Heard.

By the present application under section 438 of the Code of Criminal Procedure, the applicants seek their release on bail, in connection with C.R. No.186 of 2016, registered with Shirpur city police station, Shirpur, Tq. Shirpur, Distt. Dhule, for offences punishable under sections 420, 467, 468 read with section 34 of the Indian Penal Code.

(2)

2. The prayer for bail is strenuously opposed by the learned Addl. Public Prosecutor, on the ground that during the investigation, the statements of the applicants were recorded in which they have relied upon the documents which are post 2010, though the mutation entry is of 2006.

3. The applicants are public servants and, therefore, they are very much available for investigation. Mutation entry had taken place in 2006 and the complainant has not given any explanation for delayed complaint.

4. In view thereof, as the crime is based on documentary evidence, an interim order passed by this Court on 20th July, 2016, in my opinion, needs to be confirmed and is accordingly confirmed on the same terms.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj