IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.6203 OF 2015

Shantaram s/o. Dayaram Sapakale,
Age 53 years, Occ. Service,
r/o. Naikwadi, 1048/A/B,
Opposite Ajinkya Classes,
Kalyan Bhiwandi Road, Kongaon,
Tq.Bhiwandi, Dist.Thane ..Applicant

Versus

The State of Maharashtra ..Respondent

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Mr.N.S.Ghanekar, advocate for applicant
Mr.N.T.Bhagat, A.P.P. for respondent - State

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CORAM : M.T. JOSHI, J.
DATE : JANUARY 22, 2016

PER COURT :

Heard both sides.

2] The applicant, who is apprehending arrest in Crime No.I-2 of 2014 registered at City Police Station, Dist. Jalgaon, for the offences punishable under Section 420, 465, 467, 468, 471 of Indian Penal Code, is praying for grant of anticipatory bail.

3] In fact, this Court had, earlier, granted anticipatory bail to the present applicant for limited period on three occasions i.e. vide order dated 17th June, 2014 in Criminal Application No.1298 of 2014; vide order dated 4th February, 2015 in Criminal Application No.6232 of 2014; and vide order dated 17th July, 2015 in Criminal Application No.3739 of 2015.

4] The allegations against the present applicant are that he has filed forged Caste Certificate and made a show that it was issued by the Tahsildar. On the basis of the said forged Caste Certificate, caste scrutiny was done. It was, however, found that the Caste Certificate is forged and therefore, the Caste Scrutiny Committee has directed for filing of the FIR and accordingly, the crime came to be registered against the present applicant.

5] It is an admitted fact that the present applicant has also filed Writ Petition No.10427 of 2013 (Writ Petition Stamp No.30855 of 2013). Said Writ Petition has been admitted by the Division Bench and interim relief has been granted for not taking any adverse action against the present applicant. The Writ Petition is still pending.

6] Learned A.P.P. for the respondent – State submits that present applicant has not remained present for further investigation.

7] Considering all the facts on record, in my view, anticipatory bail granted earlier to the present applicant for limited period, needs to be made absolute on certain conditions.

8] Hence, the following order :-

A] Present Criminal Application is allowed.

B] In the event of arrest of the applicant in Crime No.I-2 of 2014 registered at City Police

Station, Dist. Jalgaon for the offences punishable under Section 420, 465, 467, 468, 471 of Indian Penal Code, he be released on bail upon his executing P.R. Bond in the sum of Rs.15,000/- (Rs.Fifteen Thousand) and also upon furnishing surety in the like amount.

C] The applicant shall attend the City Police Station, Jalgaon on 4th February, 2016 and 11th February, 2016 between 8:00 a.m. and 9:00 a.m. for the purpose of carrying investigation, if any, by the concerned Investigating Officer.

[M.T. JOSHI, J.]

kbp