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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**

**ANTICIPATORY BAIL APPLICATION NO.1318 OF 2016**

|                          |                 |
|--------------------------|-----------------|
| Kishor Dattatray Posate  | .... Applicant  |
| V/s.                     |                 |
| The State of Maharashtra | .... Respondent |

Mr. Ashok Kumar Yadav, for the Applicant.  
Mrs. Veera Shinde, APP for the Respondent State.

**CORAM : A. M. BADAR, J.**

**DATE : 9th AUGUST, 2016.**

**P.C. :**

1. The applicant/accused, in crime No.122 of 2-016, for offence punishable under Sections 420, 465, 467, 468 and 471 and 34 of the Indian penal Code, registered with Panvel Taluka Police Station, District: Raigad, at the instance of informant Nitin Pawar is seeking pre-arrest bail.
2. Heard the learned counsel for the applicant/accused. He argued that there is delay in lodging the F.I.R. and the name of the applicant is not figuring in the F.I.R. He further argued that it is only in the remand report, the name of the present applicant is mentioned.
3. The learned APP opposed the application, by pointing out that the present applicant is the king-pin and he had set up impostors and forged documents for executing conveyance of the land by the informant

and his deceased brother.

4. Perused the papers of investigation. F.I.R. came to be lodged by Nitin Pawar, alleging that he alongwith his deceased brother Kanchan are the owners of land survey No.115/1/A, situated at Panvel, Taluka: Panvel. The informant alleged that when his brother had been to the revenue office for getting 7x12 extract of the land owned by them, his brother came to know that their land is transferred in the name of Ramchandra Changa Mhatre and Bhagwan Sitaram Ainkar. The informant averred that by setting up impostors and by using forged documents, the applicant has committed the offence. During the investigation, the Investigating Officer has recorded statements of witnesses. Those statements goes to show that it was the present applicant who introduced impostors in place of the informant and his deceased brother Kanchan. Forged document of identity of the informant and his deceased brother were prepared and used in executing the conveyance of the land owned by the informant and his deceased brother. The witnesses are attributing this role to the present applicant. No case for anticipatory bail as such is made out. The custodial interrogation of the applicant for proper investigation in the crime in question is required. The application is, therefore, rejected.

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**[A. M. BADAR, J.]**