

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

ANTICIPATORY BAIL APPLICATION NO.2048 OF 2016

Mr.Sachin Vasant Raut & Ors. ...Applicants
V/s.
The State of Maharashtra ...Respondent

Smt.Mallika Ingale i/by Mr.B.L. Jagtap for the Applicants.
Smt.N.S. Jain, APP for Respondent-State.

CORAM : N. W. SAMBRE, J.

DATE : 28th NOVEMBER, 2016.

P.C.

1. The applicant is seeking pre arrest bail in CR No.454/2016 registered with Virar Police Station, Dist-Palghar for an offences punishable under Sections 420, 465, 467, 468, 471, 474 read with 34 of Indian Penal Code and Section 53 and 54 of Maharashtra Regional Town Planning Act, 1966.

2. The allegation against the applicants are that the main owner of the property Dayanand Damodhar Patil, who has got the Commencement Certificate for carrying out construction and development in land Survey No.175 Hissa No.5 and 6 has forged the same and the applicants in connivance with the said owners has

carried out illegal development.

3. The perusal of the contents of the FIR and other material prime-facie depicts that the applicants have acted in aid of the owner Dayanand D. Patil and has carried out construction contrary to the Commencement Certificate by forging the same.

4. Admittedly, applicant appears to be and beneficiary under the crime in question.

5. Though the ground is canvassed that the other co-accused are already released on regular bail. However, in my opinion the same cannot be get to the benefit of the present applicant when the applicants prime-facie involvement and trying to get benefited in the crime in question could be inferred from the material available on record.

6. In view, thereof no case is made out. Application fails rejected.

(N. W. SAMBRE, J.)