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

CRIMINAL APPLICATION NO.304 OF 2017

Shaikh Ahmed s/o Shaikh Lal
Age : 45 years, Occ. Driver,
R/o Waluj, Tq. Gangapur,
Dist. Aurangabad

..APPLICANT

VERSUS

1. The State of Maharashtra,
2. The Superintendent of Police
Aurangabad
3. Police Inspector
Police Station Waluj
Tq. Gangapur,
Dist. Aurangabad

..RESPONDENTS

Mr C.V. Thombre, Advocate for applicant;
Mr S.M. Ganachari, Addl. Public Prosecutor for respondents'
Mr R.A. Jaiswal, Advocate to assist Addl. Public Prosecutor

CORAM : N.W. SAMBRE, J.

DATE : 7th February, 2017

ORAL ORDER

By this application under Section 438 of the Code of Criminal Procedure, the applicant seeks his release on bail, in connection with C.R. No.331 of 2016, registered with police station Waluj, Tq. Gangapur, Dist. Aurangabad, for offences punishable under Sections 420, 468 and 471 of the Indian Penal Code.

2. The bail is opposed by the learned Addl. Public Prosecutor, who is assisted by the learned Counsel appearing on behalf of brother of the

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applicant, as there appears to be dispute between brothers, in relation to distribution of the property. Be that as it may, what could be gathered from the record is, the offence is alleged to have been committed for taking away certain documents from the office of the Village Panchayat, which are already seized by the Investigating Officer.

3. In the above background, in my opinion, custodial interrogation of the applicant is not warranted. In view thereof, ad interim protection granted in favour of the applicant needs to be confirmed. Hence, following order :-

In the event of arrest of the applicant, in connection with C.R. No. 331 of 2016, registered with police station Waluj, Tq. Gangapur, Dist. Aurangabad, for offences punishable under Sections 420, 468 and 471 of the Indian Penal Code, he be released on bail on furnishing P.R. Bond of Rs.15,000/- with one or two sureties for the like amount.

The applicant shall attend the Investigating Officer as and when directed.

The applicant shall not take any steps to influence the prosecution witnesses or tamper with evidence.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj