

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

Criminal Application No.2848 of 2017

- 1) Shaikh Mukhid s/o A. Razzak.
- 2) Shaikh Jabbar s/o A. Razzak.
- 3) Shaikh Gaffar s/o A. Razzak.
- 4) Shaikh Ilyas s/o A. Razzak.
- 5) Shaikh Sattar S/o A. Razzak. .. **Applicants.**

Versus

- * The State of Maharashtra. .. **Respondent.**
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Shri. A.S. Kale, Advocate, holding for Shri. S.B. Talekar,
Advocate, for applicants.

Shri. S.W. Munde, Additional Public Prosecutor, for
respondent.

Shri. Sayyed Tauseef Yaseen, Advocate, for applicant in
Criminal Application No.3271 of 2017.

Coram: T.V. NALAWADE, J.

Date : 11 July 2017.

ORDER:

- 1) The application is filed for the relief of anticipatory bail. This is second application filed for the relief. The first application bearing Criminal Application

No.1497/2016 was rejected by this Court by order dated 20-4-2017 as the concerned office had informed that the caste certificate was not issued by it. Both the sides are heard.

2) During arguments, learned counsel for the applicants-accused submitted that the Caste Scrutiny Committee constituted under the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes, And Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 has issued validity certificate in respect of the same caste certificate in favour of the applicant and the Committee has not formed opinion that either the certificate or the record produced for collecting the certificate was false and fraud is played by the applicants. There is also some record showing that employee of the office, doing work on outsource basis, informed that the caste certificate was not issued through him and so information of aforesaid nature was given by him in the past and he has no knowledge that the caste certificate was issued by the

office. In view of these circumstances this Court holds that protection needs to be given.

3) In the result, the application is allowed. In the event of arrest in Crime No.112/2017 registered at Shivajinagar police station, District Beed for offences punishable under sections 420, 465, 468, 471, 34 of the Indian Penal Code the applicants are to be released on bail on their furnishing P.B. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand) by each of them. The applicants are to appear before the investigating officer on every Sunday between 9 a.m. and 12.00 noon for the period of one month from today for the purpose of further inquiry or investigation and they are to cooperate police during investigation.

Sd/-
(T.V. NALAWADE, J.)

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