

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

ANTICIPATORY BAIL APPLICATION NO. 2129 of 2018
WITH
CRI. APPLICATION NO.1382 of 2018

Indubai Y. Sonawane

...Applicant.

Vs.

The State of Maharashtra and anr.

...Respondents.

Mr. R.N.Gite for the Applicant.

Mrs. J.S.Lohokare, APP. for the Respondent/State.

Mr. Anilkumar Patil for the Intervener.

CORAM : A.S.GADKARI, J.

DATE : 30th November, 2018

PC :

1. This is an application under Section 438 of the Code of Criminal Procedure for pre-arrest bail in CR No, I-126 of 2018 registered with Chavani Police Station, Tal. Malegaon, District Nashik under Sections 420, 464, 467, 468, 471 of the Indian Penal Code.

2. Heard the learned counsel for the applicant and the learned APP. Perused the record.

It is the prosecution case that, the applicant by fabricating School Leaving Certificate depicting that she took education from 1955 to 1957 in

Zilla Praishad School, Lodhanagar, Dabhadi, Taluka Malegaon got a Caste Certificate in her favour and thereafter on the basis of the said Caste Certificate acquired the land of Smt. Jankibai B. Dalvi. It is alleged that the said Zilla Parishad Primary School was in fact established in the year 1968 and therefore, the School Leaving Certificate submitted by the applicant to the concerned Government authorities, is a bogus document.

3. The learned counsel for the applicant submitted that, it is the first informant himself who has manufactured and prepared the bogus document and has submitted to the revenue authorities. He further submitted that, in respect of land in question civil litigation is pending before various quasi judicial authorities. He further submitted that, the applicant has nothing to do with the present crime and therefore, the custodial interrogation of the applicant is not necessary. He therefore, prayed that the applicant may be protected by pre-arrest bail.

3. The first information report is self eloquent. It is the specific and categorical allegation against the applicant that, though the Zilla Parishad Primary School Lodhanagar, Dabhadi Taluka Malegoan was established in the year 1968, the applicant submitted the School Leaving Certificate mentioning that, she took admission in the said school in the year 1955 and

left it in 1957. The applicant on the basis of the said bogus certificate has procured Caste Certificate from the revenue authorities established under the law and has further acquired land of Smt. Jankibai Budha Dalvi. The investigation of the present crime is at nascent stage. The allegations against the applicant are undoubtedly serious in nature.

4. In view of the above and after taking into consideration the gravity of the offence and the serious allegations against the applicant, this Court is of the view that, applicant does not deserve to be protected by pre-arrest bail.

Application is accordingly rejected.

5. In view of the Order passed in ABA No.2129/2018, the Criminal Application No.1382/2018 for intervention does not survive and is accordingly disposed off.

(A.S.GADKARI, J.)