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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 295 OF 2019**

Ramesh Jyotiram Valmiki

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

Mr. Satyavrat Joshi a/w Mr. Sumant Deshpande advocate for the
applicant

Smt. Rutuja Ambekar APP for the State

CORAM : NITIN W. SAMBRE, J.**DATE : FEBRUARY 4, 2019.****P.C.**

In Crime No. 241/2017 registered with Samarth Police Station,
Pune for an offence punishable under Section 420 r/w 34 of the
Indian Penal Code, applicant is seeking pre-arrest bail.

2 Applicant, a Circle Officer under the Maharashtra Land
Revenue Code, submits that applicant is not named as an accused
with a specific role in the F.I.R. According to him, the alleged offence

is based on documentary evidence, as such, his custodial interrogation is not required. It is also claimed that there are no criminal antecedents. He would then submit that applicant, being a public officer is very much available for the investigation.

3 The learned APP from the investigation carried till date would demonstrate that the applicant has acted illegally so as to extend benefit to the private persons in regard to the Government land.

4 Considered submissions.

5 From the record of Investigating Officer, it can be noticed that the land which was reserved for rehabilitation has been divested to that of private one and demarcation of plot was also permitted. The act on the part of the applicant in carrying out such forged entries is beyond his official act. As a consequence of illegal act on the part of the applicant, a third party interest is also created in favour of private individual in regard to the Government land by registered instrument.

6 In the investigation as against the applicant, his involvement and the role is quite apparent. That being so, no case for bail is made out.

7 Application as such fails, stands rejected.

[NITIN W. SAMBRE, J.]