

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

CRIMINAL BAIL APPLICATION NO.1881 OF 2018

Abdul Nasir Abdul Kadar Shaikh	.. Applicant
Vs.	
State of Maharashtra	.. Respondent

**WITH
CRIMINAL BAIL APPLICATION NO.1842 OF 2018**

Sayyed Rasheed Sayyed Razzak	.. Applicant
Vs.	
State of Maharashtra	.. Respondent

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Mr.Vikas Kolekar i/b. Ms.Amruta Devkat, Advocate for the Applicant in B.A. 1881 of 2018.

Mr.Datta More, Advocate for the Applicant in B.A.1842 of 2018.

Mr.Prashant Jadhav, APP for the Respondent - State.

Mr.S.S. Sonawane, PSI, Shantinagar Police Station, Bhiwandi, District-Thane, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 10, 2019.

P.C. :

Applicants are seeking bail by preferring these applications under Section 439 of Code of Criminal Procedure in connection with C.R.No.I-339 of 2017, registered with Shantinagar Police Station, Bhiwandi, District-Thane, for the offences punishable under Sections 420, 468, 471 and 201 read with 34 of Indian Penal Code ("IPC", for short).

2 Applicants were arrested on 16th November, 2017. The case of the prosecution is that at the instance of the co-accused applicants had remained present in the concerned Court for the purposes of presenting themselves as sureties in some proceedings. Applicants and other accused were apprehended in the Court premises and allegedly they were found in possession of fabricated documents, which as ration card and Aadhar Card. They were arrested immediately and since then they are in custody. Investigation is completed and charge - sheet has been filed.

3 The advocates who were impleaded as an accused in the present case, has been granted anticipatory bail by the Sessions Court. Accused Chintaman had preferred Bail Application No.1058 of 2018. He is granted bail by this Court by order dated 16th June, 2018. All the other accused are granted bail by the Sessions Court. Orders are annexed to this application.

4 Learned counsel for the applicants in both the applications submitted that the applicants are in custody for almost one year and there are no antecedents against them.

Learned counsel for the applicant submits that co-accused having similar role have been granted bail. Learned APP submitted that the applicants were apprehended in the Court and they were found in possession of fabricated documents.

5 The prosecution case is that the applicants had visited the Court and before they could represent themselves in the Court proceedings, they were apprehended before they appeared as surety in the Court. I have perused the order dated 16th June, 2018, passed by this Court granting bail to Chintaman Sarkare. Others are on bail. Applicants are in custody from the date of arrest. No criminal antecedents are reported against them. Considering the aforesaid circumstances, applicant can be granted bail.

6 Hence, I pass the following order:

:: ORDER ::

- (i) Bail Application Nos.1881 and 1842 of 2018, are allowed;
- (ii) Applicants are directed to be released on bail in connection with C.R.No.I-339 of 2017, registered

with Shantinagar Police Station, Bhiwandi, District-Thane, on their furnishing P.R. Bond in the sum of Rs.15,000/-, each, with one or more sureties in the like amount;

- (iii) Applicants shall attend Shantinagar Police Station, Bhiwandi, District-Thane, every month on first Saturday between 11:00 a.m. to 01:00 p.m., till further orders;
- (iv) Applicants shall attend the trial Court on the date of hearing regularly, unless exempted by the Court for some reasons;
- (v) Violation of any of the conditions imposed by this order, will attract provisions of cancellation of this bail order;
- (vi) Both Bail Applications stand disposed of.

(PRAKASH D. NAIK, J.)