

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1750 OF 2019**

Vinod Chandrakant Mankar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. S. V. Marwadi i/b Mr. Narayanganesh M. Nadar for the Applicant

Mr. S. V. Gavand, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
MONDAY, 19th AUGUST 2019

P.C.

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks pre-arrest bail in connection with C.R. No. I-108 of 2019 registered with the Kasa Police Station, Palghar, for the alleged offences punishable under Sections 420, 465, 467, 468, 471, 474 and 120B of the Indian Penal Code.

3 Perused the papers. According to the complainant-Pralhad Khedkar, Circle Officer, Kasa, Palghar, he, along with the Talathi of Village

Vivarvedhe, on 1st February 2018, visited Survey No. 206/1, area admeasuring 0.29.7 H.R., having assessment 0.44 of village Mouje Dhanivari and found that there was construction going on, on the said spot. Pursuant thereto, panchanama was carried out. On asking the watchman-Kondya Gaikar, whether there was permission to construct the house, the said Kondya Gaikar produced a copy of the N.A. order dated 16th January 2018 allegedly issued by the Tahasildar, Dahanu. On seeing the N.A. order, the complainant got suspicious and hence, an inquiry was asked to be conducted. The inquiry revealed that the Tahasildar Office had not issued the said N.A. order and that the said N.A. order was a fabricated document. Inquiry further revealed that the original owner of the said land was Sakharam Gaikar and that he had sold the said land to one Mahesh Karbat and that the said Mahesh Karbat had executed an Agreement to Sell in favour of original accused No. 1-Habibur Rehman Abdul Patel through co-accused-Bhalchandra Vaze. The applicant was working as a Peon in the Office of Tahasildar, Dahanu at the relevant time. During the course of investigation, accused No.2-Bhalchandra Vaze was arrested, as it was revealed that the applicant had given the said N.A. order to accused No.2 on payment of Rs. 30,000/-. *Prima facie*, it appears that the applicant had

access to the seal and stamp of the Tahsil Office. It *prima facie* appears that the N.A. order is a fabricated document and that the Tahsildar's signature has also been forged.

4 Considering the aforesaid, custodial interrogation of the applicant is necessary to unearth whether any other person from the Tahsil Office is involved and the modus operandi. Considering the aforesaid, this is not a fit case to grant pre-arrest bail to the applicant. Application is accordingly rejected.

5 It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application and if an application for regular bail is filed, the learned Judge shall decide the same on its own merits, in accordance with law, uninfluenced by the observations made in this order.

REVATI MOHITE DERE, J.