

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

ANT. BAIL APPLICATION NO.2801 OF 2019

Mr. Avinash Balkrishna Patil ... Applicant
Vs
The State of Maharashtra ... Respondents

...
Mr. Sanjeev Kadam i/by Mr. Rahul M. More for the Applicant.
Mr.S.R.Agarkar , APP for the Respondent-State.
PI R.I.Sayyed attached to Agripada P.Stn. Present.

CORAM : SANDEEP K. SHINDE J.
DATE : 19th DECEMBER, 2019

P.C. :

Heard.

2 *Applicant is seeking pre-arrest bail in Crime No.32 of 2019 registered with Agripada P.Stn. For the offences punishable under Sections 255, 260, 465, 467, 468, 471, 420 read with Section 34 of the Indian Penal Code, 1860. Mohan Shahaji Mali, co-accused is released on bail by this Court on 19th September, 2019. Copy of the order is taken on record and marked '**X-1**' for Identification.*

3 *The learned counsel for the applicant submits, he became partner of M/s. Kedar Enterprises on 6th April, 2015. Mohan Shahaji Mali (co-accused) is/was his partner. It is submitted that, house property owned by Mohan Shahaji Mali was mortgaged by him to the Dena Bank before April, 2015. These facts are not in dispute. It appears, the same property is mortgaged with the Union Bank of India allegedly by forging title documents. It is submitted that applicant is not a party to the mortgage deed since it is owned by his partner Mohan Shahaji Mali.*

4 *It appears from the observations made in the order dated 19th September, 2019 while releasing Mohan Shahaji Mali on bail that the outstanding loan amount payable to Dena Bank has been cleared by Mr. Mali and original documents of the mortgaged property are handed over to the Union Bank of India.*

5 *In view of the facts of the case, in the event of arrest of the applicant in Crime No. 32 of 2019 registered with Agripada Police Station , he shall be released on*

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executing PR bond in the sum of Rs.15,000/- with one or more sureties in like amount.

6 *He shall give his permanent residential address and mobile contact number to the Investigating Officer forthwith.*

7 *The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;*

8 The application is allowed in the aforesaid terms and accordingly disposed of.

9 *It is made clear that the observations made herein are prima facie, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.*

(SANDEEP K. SHINDE, J.)