

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.899/2019

Bhaiya Bapuraoji Shende and anr. vs. State of Maharashtra through PSO
P.S. Samudrapur, Dist. Wardha.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms D. V. Sapkal, Advocate for applicants.

Mr. S. M. Ghodeswar, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : JANUARY 03, 2020

Heard Ms Sapkal, learned counsel for applicants
and Mr. Ghodeswar, learned A.P.P. for non applicant-State.

By present application, applicants are praying for
pre-arrest bail since they are apprehending their arrest in
connection with Crime No. 510/2019, registered with Police
Station, Samudrapur, Dist. Wardha for an offence
punishable under Sections 420, 467, 468, 471 read with
Section 34 of the Indian Penal Code (IPC).

The FIR is lodged by one Kunal against eleven
named accused persons and other unnamed accused
persons. Applicant no.1 is accused no.7 whereas applicant
no.2 is accused no.11. As per the FIR, accused no.1 Mahesh
is first informant's real brother and is habituated to drinking.
According to the FIR, there is an agricultural field in the
joint names of first informant Kunal, Kalyani and Mahesh.
According to the FIR, accused no.1-Mahesh executed a sale
deed in favour of accused no.2-Sau. Nirawanti.

As per prosecution case, present applicants are brokers. Learned A.P.P. submits that present applicants have not put their signatures on any of the documents. The applicants are only mediators.

In that view of the matter, without there being any specific role attributed to the present applicants, the application can be considered favourably. Hence, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.510/2019, registered with Police Station, Samudrapur, Dist. Wardha for an offence punishable under Sections 420, 467, 468, 471 read with Section 34 of the Indian Penal Code (IPC), applicant no.1-Bhaiya Bapuraoji Shende and applicant no.2-Durya alias Gurudas Namdev Pawar, be released on bail on they executing P.R. Bond in the sum of Rs.10,000/- each with one solvent surety each in the like amount.
- (iii) The applicants shall attend Police Station, Samudrapur, Dist. Wardha, as and when called by the investigating officer. However, for that the investigating officer shall give a clear cut two days written communication to the applicants.

The application is disposed of.

JUDGE