

3. Perused the papers. The complaint/FIR has been lodged by Shankar Pawar, Police Naik attached to Aayeshanagar Police Station, Nashik. He has stated in the said FIR that on 5th November 2020, whilst he was on duty, he received a passport enquiry of Zaheer Hashim Haneeba, online. He has stated that for the purpose of enquiry, he went to the given address i.e. House No.381, Line No.7, Survey No.66, Aayeshanagar, Malegaon. During the course of enquiry, the complainant found no such person was staying on the said address and as such became suspicious. He has stated that during the course of enquiry of one Alam Amin Ansari, a Bangladeshi National, it was found that he had given forged documents and it was found that Alam Ansari, was not a permanent resident of the said place. It appears that thereafter during the course of investigation, the police raided the place i.e. Golden Hotel, Expressway and took Alam Ansari into custody. Alam Ansari's mobile phone *prima facie* disclosed that he was a Bangladeshi. During the course of investigation, certain documents were found in the name of Alam Ansari i.e. Ration Card, Voter ID, Birth Certificate and Aadhar Card etc. The said documents were seized as they were found to be forged and fabricated and an FIR was registered as against the said accused.

4. During the course of investigation, the applicant's name surfaced. It is the case of the prosecution, that Alam Ansari had met the applicant with copies of Aadhar Card, light bill of Shaikh Ashpak Shaikh Munaf for preparation of documents in his name. It is further alleged that the applicant took him to an agent for the said purpose i.e. for preparing forged and fabricated documents and accordingly handed over the said documents to the said agent. Pursuant thereto, the agent prepared the Aadhar Card of Alam Ansari. It is not in dispute that the agent has been released on bail. It is not the prosecution case that the applicant forged or fabricated the documents or prepared the same. The case against the applicant is that he took Alam Ansari to the agent, who helped him prepare forged documents. The applicant is in custody since 6th November 2020. Investigation is complete and charge-sheet is filed.

5. Considering the aforesaid, further detention of the applicant is not warranted. Accordingly, the application is allowed and the applicant is enlarged on bail, on the following terms and conditions:-:-

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 20,000/- with one or two local sureties in the like amount;

- (ii) The applicant shall attend the concerned Police Station on the first Saturday of every month from 10:00 a.m. to 1:00 p.m. till the conclusion of the trial;
- (iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (iv) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- (v) The applicant to cooperate with the conduct of the trial and attend the trial Court on all dates, unless exempted;
- (vi) The applicant shall file an undertaking with regard to clauses (ii) to (v) in the trial Court, within two weeks of his release;
- (vii) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's

bail.

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

7. 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.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.