

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.462 OF 2022

BABASAHEB SONRAO JAYBHAYE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Mayur Subhedar h/f.
Mr. Chaitanya V. Dharurkar
APP for Respondent : Mr. V. M. Kagne
...

CORAM : S. G. MEHARE, J.

DATE : 07-07-2022

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent/State.
2. The applicant is a Circle Officer in the Revenue department. The allegations levelled against the applicant are that he has certified the mutation entry. It also appears that the informant has already availed the civil remedy before the Civil Court. The first information report is delayed by around five years. The learned A.P.P. also submits that the applicant has played a limited role. A detailed order is passed by this Court on 21.04.2022. Considering all the facts and aspects, it is apparent that the applicant has discharged his official duty and certified the

mutation entry on the basis of the documents supplied to him by the concerned party. There is nothing against the applicant to believe at this juncture that the applicant has participated or played any role in committing the alleged crime. Besides this, the first informant has also availed the remedy before the Civil Court. There is nothing against the applicant and the prosecution has no case for custodial interrogation against the applicant. Therefore, the application deserve to be allowed.

3. Hence, the order :-

- i) The application is allowed.
- ii) The order dated 21.04.2022 granting interim protection to the applicant is confirmed with a modified condition that the applicant shall attend the police station as and when called by the Investigating Officer on written notice.

(S. G. MEHARE)
JUDGE

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