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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

922 ANTICIPATORY BAIL APPLICATION NO.526 OF 2022

MUSTAQUE SAYYAD RAHEMAN SAYYAD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

Mr. Ruchir S. Wani, Advocate for applicants;
Mr. V.S. Badakh, A.P.P. for respondent

CORAM : S. G. MEHARE, J.

DATE : 15th June, 2022

P.C.

1. Heard learned Counsel for the applicants and the learned A.P.P. for the respondent-State.

2. Perusal of the records reveals that there was a dispute as regards partition between the co-accused and the complainant. It has been alleged that the father of the complainant died on 26.3.2018. However, a false Hibanama was prepared in his name and the names of the co-accused were mutated in the revenue record. The present applicants were allegedly the panch witnesses. It appears that it is a civil dispute regarding partition.

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3. After having gone through the record, there appears that the applicants are merely the witnesses as alleged in the application. Nothing is to be recovered and discovered from them. They are the third persons to the family dispute. Hence, the application deserves to be allowed. I, therefore, pass the following order:-

1) Criminal Application stands allowed.

2) In the event of arrest of the applicants (1) Mustaque Sayyad Raheman Sayyad and (2) Sayyad Abulhasanat Barkat Ahemad, in connection with C.R. No.114 of 2022, registered with Nandurbar police station, for offences punishable under Sections 420, 467, 468, 504, 506, 406 read with Section 34 of the Indian Penal Code, they be released on bail, on each of them furnishing P.B. and S.B. of Rs.15,000/- , on the condition that they shall attend the police station as and when called by the Investigating Officer on the written notice.

(S. G. MEHARE, J.)

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