

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

BAIL APPLICATION NO.1523 OF 2022

ATUL SITARAM DHANDE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. N.S. Ghanekar h/f Mr. A.D. Bhosale
APP for Respondent/State : Ms. V.S. Choudhari
...

CORAM : S.G. MEHARE, J.

DATED : 12th OCTOBER, 2022

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant was a Talathi. It has been alleged against him that he had forged the 7/12 extract of the land belonging to the Government. On the basis of the 7/12 extract he forged, other co-accused had raised the crop loan from the bank and the bank has been cheated with huge amount. The applicant has been arrested on 21.07.2022. He has undergone the police custody remand. He has been thoroughly investigated. His handwriting samples and other material evidence have been collected by the police. The handwriting samples and other relevant samples have been sent to the handwriting expert.

(2)

3. Learned counsel for the applicant would submit that material investigation against the applicant has been completed. Therefore, his detention may not be fruitful for the prosecution.

4. Learned APP has strongly opposed the application contending that the applicant has committed a serious offence. There are eye witnesses to the incident. He may tamper with the prosecution witness. Hence, he may not be released on bail.

5. So far as the allegations are concerned, it is not disputed that at the relevant time, the applicant was the Talathi of the village and he had issued the 7/12 extract in the name of various persons. The investigation officer has collected his handwriting samples and other relevant samples and sent to the handwriting expert for verification. It indicates that material investigation has been completed against him. As far as apprehension of the prosecution about tampering with the evidence, conditions may be imposed upon the applicant to prevent the tampering with the prosecution witnesses. Considering the nature of the offence and progress of the investigation, the Court is of the view that his further detention may be fruitless. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Atul Sitaram Dhande, be released on bail on executing PB. and S.B. of Rs.50,000/- (Rupees fifty thousand) with

(3)

one surety in the like amount in connection with Crime No.547/2017, registered at Shrigonda Police Station, District Ahmednagar for the offences punishable under Sections 420, 465, 467, 468, 471 r/w 34 of the Indian Penal Code on the condition that he shall not tamper with the revenue record of 7/12 extract and other entries of the village properties, where he was posted as Talathi during the period of alleged incident.

(iii) The applicant shall not tamper with the prosecution witnesses.

(S.G. MEHARE, J.)

Mujaheed//