

ANTICIPATORY BAIL APPLICATION NO.1566 OF 2022

Versus

Mr. S.D. Hiwrekar, Advocate for the applicants.
Mr. P.K. Lakhotiya, APP for State.

■ ■ ■ ■ ■ ■ ■

DATE : 1st DECEMBER, 2022

ORDER :

1. The applicants are apprehending their arrest in Crime No. 179/2022 registered with Sillod City Police Station, for the offences punishable under section 420, 465, 417, 468, 471 read with 34 of Indian Penal Code.

2. It is alleged in the First Information Report that one Yuvraj Tayade has used Aadhar card of informant-Kakasaheb Lokhande and impersonated the informant and sold his agricultural land behind his back. The applicants have signed the said sale deed as witness at the time of execution of sale deed.

3. Heard the learned advocate for the applicants and learned Additional Public Prosecutor for respondents. Perused the investigation papers.

4. The learned Additional Public Prosecutor vehemently opposed the application contending that in the sale deed a recital is there that applicants being witnesses personally know the vendor. He therefore, submits that this itself is sufficient to show the involvement of applicants in the present crime.

5. Admittedly, applicant No. 2 is maternal brother of purchaser namely Nisar Ahmed Dulhot. Possibility cannot be ruled out that at the instance of purchaser both the applicants have signed the sale deed as witness. The investigation papers do not make out any involvement of the applicants in the alleged offence except the fact that they are witnesses to the sale deed.

6. The applicants were granted interim protection and were directed to attend the police station and co-operate in the investigation. The applicants have co-operated in the investigation. Considering the facts of the present case, pre-trial custodial detention of the applicants is not warranted. The

application is therefore allowed by confirming the interim order dated 23rd November, 2022.

7. Till filing of charge sheet, the applicants shall attend the concerned police station as and when called by the investigating officer and co-operate in the investigation. The applicants shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]