

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 638 OF 2021**

Bisamilla Gaibusab Hulkund ...Applicant

Versus

The State of Maharashtra ...Respondent

.....

Mr. Padmanabh Pise a/w Ms. Sejal Hariyan for the Applicant.

Mr. A. R. Kapadnis, APP for the State.

Mr. Sachin Bondgar Asst. Police Inspector Economic Offences Wing
Solapur City Present.

.....

CORAM : N.R. BORKAR, J.

DATED : 14 NOVEMBER 2022

P.C. :-

This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 1548 of 2020 registered at Sadar Bazar police station Solapur for the offence punishable under Section 120-B, 409, 465, 468, 471 of Indian Penal Code.

3. It is the case of the prosecution that two schools namely Muslim Chapparband Urdu Primary School, Salgarwadi and Maharashtra Urdu Primary School, Solapur were not entitled to grant-in-aid from

the State Government. It is alleged that forged documents were prepared and on the basis of said forged documents grant of Rs. 65,37,171/- was released in favour of the said two schools.

4. I have heard the learned counsel for the applicants and the learned APP for the respondent-State.

5. The learned counsel for the applicant submits that this Court has released the co-accused who at the relevant time were working as Education Officer and Headmistress of Maharashtra Urdu Primary School on anticipatory bail. It is submitted that the applicant was in-charge Headmistress of Muslim Chapparband Urdu Primary School for some period.

6. On the other hand the learned APP for the respondent-State submits that considering the nature of offence the applicant may not be released on anticipatory bail.

7. I have perused the First Information Report and the order passed by this Court dated 22 March 2022 in Anticipatory Bail Application No. 1151 of 2020 and other connected applications.

8. The allegations against the present applicant and against the Headmistress of Maharashtra Urdu Primary School, to whom this

Court has granted anticipatory bail are identical. The allegations of forgery are against Education Officer. Considering these facts and circumstances, I have no option except to release the present applicant on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in Crime No. 1548 of 2020 registered at Sadar Bazar police station Solapur for the offence punishable under Section 120-B, 409, 465, 468, 471 of Indian Penal Code, he shall be released on bail on furnishing PR bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station from 21 November 2022 to 23 November 2022 between 11 am to 2 pm and thereafter as and when called and shall co-operate in the investigation.

(N.R. BORKAR, J.)