

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 702 OF 2022

Rohit G. Patil	.. Applicant
Vs.	
The State of Maharashtra	.. Respondent

Mr. Vikas B. Shivarkar for the applicant
Mr. N. B. Patil, APP for the respondent-State

CORAM : NITIN W. SAMBRE, J.

DATED : 22nd September, 2022

P.C.:

1. Heard.
2. The applicant is seeking pre-arrest bail in crime no. 91 of 2022 registered with Sangali police station for the offence punishable under sections 420, 464, 465, 467, 468, 471 r/w. 31 of IPC.
3. The case of the prosecution is, the accused persons were about to execute a sale deed of the land of the complainant at which point of time they were caught red handed while committing the offence of cheating, forgery.
4. The applicant allegedly remained in contact with the co-accused and has provided logistic support by providing 7/12 extracts.

5. The submissions of learned counsel for the applicant are, the applicant's complicity in the offence particularly warranting his custodial interrogation cannot be inferred particularly when the 7/12 extracts are already available online and was very much available with the co-accused-Manoj.
6. In addition, his contentions are, during the course of investigation, the applicant's name is not referred in any of the PCR forms of the co-accused. As such, he would urge that the plea of custodial interrogation is not justified, particularly when the offence is based on the documents.
7. Learned APP would oppose the prayer.
8. The fact remains that the Talathi has already given a statement thereby stating that the applicant has collected 7/12 extracts. Such extracts were used for the purpose of execution of sale deed by impersonation at which point of time accused persons were caught red handed.
9. The CDR reports of the co-accused and the applicant speaks of the applicant remained in constant touch with the co-accused. As such, complicity of the applicant's involvement in the crime is very much established and can be inferred.
10. Apart from above, the other four co-accused persons have

criminal antecedents of similar nature.

11. In this background, since the applicant prima facie appears to have been involved in the serious offence, no case for grant of pre-arrest bail is made out.

12. The applications as such, stands rejected.

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NAIK

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(NITIN W. SAMBRE, J.)