

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

ANTICIPATORY BAIL APPLICATION NO. 2484 OF 2021

Ashok Nathu Kirave & Ors. .. Applicants
Vs.
The State of Maharashtra & Anr. .. Respondents

Mr. Aniket Nikam i/b Mr. Amit Icham for the applicants
Mr. N. B. Patil, APP for the respondent - State

CORAM : NITIN W. SAMBRE, J.

DATED : 19th September, 2022

P.C.:

1. Heard.
2. Mr. Nikam, learned counsel for the applicants on instructions does not press for the applicants/accused Ashok Nathu Kirave, Subhash Nathu Kirave & Mangesh Kaluram Kirve.
3. As such, the application stands dismissed as withdrawn in respect of above applicants/accused.
4. As far as, the applicants/accused Manisha Hanumant Kirve & Laxmi Devendra Makhamale are concerned, they are seeking pre-arrest bail in crime no. 52 of 2021 registered with Vadgaon Maval police station for the offence punishable under sections 420, 423, 467, 468, 471, 120B, 201 r/b. 34 of IPC.
5. I have noticed that similarly placed accused are granted

protection in ABA/2303/2021.

6. Apart from above, the nature of the allegation is about tampering and forgery of the government revenue records.

7. The tampered records are used by the accused persons for mutation, seeking claim for declaration and injunction in a civil suit and also for negotiating settlement with the owner of the property based on forged documents.

8. Investigation carried out till this date does not depict that Applicants are benefited by their active involvement, which also can not be prima facie inferred. In the backdrop of aforesaid allegations, it cannot be said that the applicants who are ladies are alleged to have been involved in the commission of the offence particularly when the FIR does not speak of the involvement of the applicants in the said negotiations with the owner.

9. In the aforesaid background, ad-interim protection ordered by this Court in favour of the applicants is confirmed to the extent of the applicant nos. 4 & 5.

10. In the event of arrest of applicants-Manisha Hanumant Kirve & Laxmi Devendra Makhamale in crime no. 52 of 2021 registered with Vadgaon Maval police station for the offence punishable

under sections 420, 423, 467, 468, 471, 120B, 201 r/b. 34 of IPC, the applicants be released on bail on furnishing P.R. bond in the sum of Rs.15,000/- with one or more sureties in the like amount.

11. The applicants shall attend the Investigating Officer from 26/09/2022 to 29/09/2022 between 10.00 a.m. to 12.00 noon and thereafter as and when directed.

12. The applicants shall neither tamper with evidence nor influence the witnesses in any way.

13. The application stands disposed of.

ANANT
KRISHNA
NAIK

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ANANT KRISHNA
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Date: 2022.09.26
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(NITIN W. SAMBRE, J.)