

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2940 OF 2022

Altaf Hussain Patel	...Applicant
Versus	
The State Of Maharashtra	...Respondent

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Mr. Niranjan Mundargi i/by Ms. Keral Mehta, Advocate for the Applicant.

Mr. A.A. Palkar, APP for the Respondent – State.

Mr. V.S. Mahangade, API, Saswad Police Station Pune Rural.

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	19th OCTOBER, 2022.

PER COURT:

1. This is an application for pre-arrest bail in C.R. No. 308 of 2022, registered with Saswad Police Station, Pune Rural for offence under Section 420, 468 r/w 34 of Indian Penal Code.

2. The case of the prosecution is that one Altaf Husen Patel had visited the office of Revenue Department in respect to the agricultural land bearing No.829, 830, 831, 832 and 833 for inquiring about the partition of said properties. He showed NA order bearing No. NA/SR/45/2015 on the basis of the said letter. The Talhati stated that the plots can be made and the application was told to do plotting of the said land as without that it would not be possible to take on record the NA order. The applicant had preferred an application for anticipatory bail before the Sessions

Court which has been rejected vide order dated 8th August, 2022.

3. The applicant is the owner of the agricultural land admeasuring about 100 Acres village Hiware. Tq. Purandar. He had appointed Subhash Kudle and Sandeep Jawlikar on 15th June, 2021, to do the plotting of his lands and sale out of the plots on commission basis. The contentions of the applicant he had never approached the Talhati and produced the NA order has alleged. He had no knowledge about the fabricated documents. One Rahul Sadashiv Khote was arrested and he is in custody.

4. Learned APP on instructions submit that Rahul Sadashiv Khote who is arrested and in custody was interrogated and even he had not disclosed the involvement of the applicant. Rahul Khote had received money from Sandeep Jawalikar. Investigation did not reveal complicity of the applicant or that he had any knowledge about such fabricated documents.

5. Considering this aforesaid circumstances, the applicant need not be subjected to custodial interrogation.

ORDER

- i. Anticipatory Bail Application No. 2940 of 2022 is allowed;

- ii.** In the event of arrest of the applicant in connection with C.R. No. 308 of 2022, registered with Saswad Police Station, Pune Rural, the applicant be released on bail on furnishing P R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- iii.** The applicant shall attend the investigating officer on as and when called for.
- iv.** Application stands disposed off.

(PRAKASH D. NAIK, J.)