

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Anticipatory Bail Application No. 105 of 2022

Jafar Alia Karamat Ali

Versus

The State of Maharashtra, through Police Station Officer, Police Station
Awadhutwadi, Tq. And District Yavatmal.

WITH

Anticipatory Bail Application No. 106 of 2022

Mohd. Rafique Sheikh Idu

Versus

The State of Maharashtra, through Police Station Officer, Police Station
Awadhutwadi, Tq. And District Yavatmal.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M.R.Joharapurkar, Advocate for the applicant
Shri Sagar Ashirgade, APP for the non-applicant/State.

**CORAM : ANIL S. KILOR, J.
DATED : 3rd MARCH, 2022.**

On the allegations that the grants received from the Government by the society of which the applicant Jafar Alia Karamat Ali is claiming to be President and and applicant Mohd. Rafique Sheikh Idu is claiming to be Secretary, misutilized the funds by creating false and bogus document, a crime was

registered as Crime No. 45 of 2022 for the offence punishable under Sections 420, 465, 468, 471 read with Section 34 of the Indian Penal Code.

2. This Court had granted ad-interim anticipatory bail to the applicants on 16th February, 2022.

3. Learned counsel for the applicants submits that the police have seized the relevant documents. He further submits that, further some more documents which the police have sought, are also submitted and there is nothing remains to be recovered from the applicants. It is submitted that the alleged amount was properly spent and the accounts were properly maintained. It is submitted that as there is a dispute in the Management and a rival group has lodged the false complaint against the applicants.

4. Learned Additional Public Prosecutor has strongly opposed the application and submits that sufficient material is available on record to show the involvement of the applicants in the alleged offence.

5. On perusal of the case diary and after going through the contents of the First Information Report, I am of the opinion that the custody of the applicants is

not required. Moreover, the applicants have attended the police station as directed by this Court while granting ad-interim anticipatory bail vide order dated 16th February, 2022. There is no complaint about misuse of liberty by the applicants.

6. In that view of the matter, both applications are allowed.

7. The order dated 16th February, 2022 is confirmed.

8. The applicants shall attend the concern Police Station as and when their presence is required.

[ANIL S. KILOR, J.]

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