

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

CRIMINAL APPLICATION (ABA) NO.221 OF 2022

Sahebrao S/o Narayan Ingale

Versus

State of Maharashtra, through P.S.O. Ner, Tah. Ner, Dist. 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.A. Sable, Advocate for the applicant.

Shri M.J. Khan, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 12/04/2022

1. The applicant is seeking pre-arrest bail in Crime No.78 of 2022, dated 28.02.2022, registered with Police Station Ner, District Yavatmal, for the offences punishable under Sections 420, 468 and 424 read with Section 34 of the Indian Penal Code.

2. The allegations are of creation of bogus documents to create title over the land in dispute. The complainant is the real brother of the applicant and the complainant has lodged complaint against his mother, three brothers, applicant's wife and the Superintendent of Land Records(SLR), who has mutated the name of the other legal heirs on the basis of false affidavit.

3. After going through the contents of the First Information Report, *prima facie* it appears that there is property dispute between the complainant and the accused persons. Furthermore, as far as the forged documents are

concerned those have already been seized by the Police and as such, looking to the controversy involved in the alleged offence and the fact that the documents have already been seized by the Police, I am of the opinion that the custody of the applicant is not necessary in this case. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in the event of arrest of the applicant in Crime No.78 of 2022, dated 28.02.2022, registered with Police Station Ner, District Yavatmal, for the offences punishable under Sections 420, 468 and 424 read with Section 34 of the Indian Penal Code, the applicant be released on bail on furnishing P.R. Bond of Rs.15,000/- with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station on 18, 19 and 20th April, 2022 between 10.00 a.m. to 12.00 noon and thereafter, as and when his presence is required.
- d) The applicant shall not tamper with the prosecution witnesses.
- e) The applicant shall not leave the jurisdiction of the concerned Police station without permission of the Court.

The criminal application is **disposed of** accordingly.