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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.1881 OF 2022

ATIK AHMED S/O LAIK SHAIKH
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Palodkar Devdatt P.
APP for Respondent/State : Mr. S.P. Deshmukh

AND

BAIL APPLICATION NO.2076 OF 2022

MAROTI BABJI APTE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Gore Ravindra Vitthal
APP for Respondent/State : Mr. S.P. Sonpawale

...

CORAM : S.G. MEHARE, J.

DATED : JANUARY 04, 2023

PER COURT:-

1. Heard learned counsels for the applicants and learned APP for the State.
2. The applicant Maruti Apte was the owner of the land. The applicant Atik Ahmed claimed that he was a computer operator in one firm. It has been alleged that the forged Gunthewari Certificate were prepared by the applicants along with two absconding accused and got the sale deed registered. The Joint Sub-Registrar, Class-2,

Udgir learnt about the forgery played, therefore, he lodged the report on 10.04.2022. The applicants have been arrested on 23.05.2022.

3. It has been argued that the detailed investigation has been done about the relevant evidence as regards forging of the documents. The samples of handwriting and signatures of the applicants have also been obtained. Nothing remained to be investigated from the applicants. The applicants have committed no offence. Hence, they may be released on bail.

4. The State would submit that two co-accused are absconding. A fraud has been played with the Government. The serious offence of forgery has been committed. If the applicants would be released on bail, they may tamper with the prosecution witnesses. Hence, bail may not be granted.

5. The roles attributed to the respective applicants have been discussed in above paragraphs. The offence pertains to the documentary evidence. For the purpose of investigating the forgery, the samples of handwriting, thumb impression etc., have already been collected by the investigation officer. The handwriting expert report may take its time. The material investigation against the applicants has been completed. Nothing remained to be investigated from them. Hence, the applications deserve to be allowed on certain conditions. Hence, the following order :

ORDER

- (i) Both Bail Applications are allowed.
- (ii) The applicants, Atik Ahmed s/o Laik Shaikh in Bail Application No.1881 of 2022 and Maroti Babji Apte in Bail Application No.2076 of 2022, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) each with one solvent surety in the like amount each in connection with Crime No.92 of 2022, registered at Udgir City Police Station, District Latur for the offence punishable under Sections 420, 465, 466, 467, 468, 471 read with Section 34 of the Indian Penal Code, on the condition that both the applicants shall appear before the investigation officer for the purpose of any samples like handwriting, thumb impression etc., as regards the alleged forgery of Gunthewari Certificate and other relevant documents concerning the converting of agricultural land into non-agricultural land, if they have been called for.
- (iii) The applicants shall not tamper with the prosecution evidence.

(S.G. MEHARE, J.)