

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

ANTICIPATORY BAIL APPLICATION NO.1918 OF 2023

1. Shaikh Yakub Shaikh Kayyum
 2. Shaikh Shoheb Shaikh Kayyum
- ... APPLICANTS

VERSUS

The State of Maharashtra
Through Police Inspector,
Police Station Kadim Jalna, Dist. Jalna.

... RESPONDENT

Mr. S. G. Kawade, Advocate for the applicants
Mr. M. K. Goyanka, APP for the respondent/State

CORAM : R. M. JOSHI, J.

DATE : 4th DECEMBER, 2023

P.C. :-

1. Applicants apprehend arrest in connection with Crime No. 324/2023 registered with Kadim Jalna Police Station for the offences punishable under Sections 420, 465, 467, 468, 469, 471, 472 r/w 4 of IPC.

2. First informant is Town Planning Officer of land record and surveyor. He found that in document executed under No. 2303/2023 bogus order purportedly passed by him is included in the said document at the time of registration. He claims that he never issued the said order and it is bogus order. It is alleged that the present applicants along with

their father have sold the said property by preparing the bogus document.

3. Learned counsel for the applicants submits that the applicants are not the owners of the property nor their name is included in the alleged PR card. According to him their father is the owner and as such merely because the applicants are a signatory to the document as consenting parties, it cannot be held that they are responsible for preparation of the said bogus order.

4. Learned APP opposed the application with contending that the applicants are party to the sale deed and therefore they have the responsibility of the documents relied upon thereto.

5. At this stage there is nothing on record to indicate that the present applicants are the owners of the property in question. The alleged bogus order also incorporates name of their father in the PR card. As such at this stage there is nothing on record to connect applicants with this crime. There are no criminal antecedents against them. They are not likely to flee from justice. Application is allowed directed to attend the concerned Police Station as and when called by the Investigating Officer till filing of the charge-sheet. Hence the following order.

ORDER

(i) In the event of arrest of applicants in connection with Crime No. 324/2023, registered with Kadim Jalna Police Station, Dist. Jalna, for the offences punishable under Sections 420, 465, 467, 468, 469, 471, 472 r/w 34 of IPC, they shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) each with one surety in the like amount.

(ii) They shall attend the concerned police station as and when called by the Investigating Officer till filing of the charge-sheet.

(iii) They shall not contact the witnesses directly or indirectly.

(iv) They shall not interfere with the evidence in any manner whatsoever.

(v) They are further directed to cooperate the investigating agency for further investigation.

(R. M. JOSHI, J.)

ssp