

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 648 OF 2020

1] Anil Dyananoba Bibwe
2] Sunil Dyananoba Bibwe
3] Dilip Dyananoba Bibwe ... Applicants

Versus

The State of Maharashtra ... Respondent

.....

Mr. Harshad Sathe for the Applicants.
Mr. S.S. Hulke, APP for the State.
API Pravin Kalukhe, Binavewadi Police Station, present.

.....

CORAM : N.R. BORKAR, J.

DATED : 13 JANUARY 2023

P.C. :-

1. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicants are apprehending their arrest in Crime No. 395 of 2019 registered at Bibwewadi Police Station, Pune for the offences punishable under Sections 419, 420, 467, 468, 471 r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant, the learned APP for the State.

4. On 17 March 2022, this Court passed the following order :

“1. Heard learned Counsel for the applicant and learned APP for the State.

2. Complainant is claiming to be the owner of land bearing Survey No.623, Hissa No.2A/1. It is alleged by him, that the applicants were owners of land bearing Survey No.623/2B. This land, they had sold long back to someone. However, by manipulating the documents and records, they sold complainant's land to one, Sachin Jagde projecting his land bears Survey No.623/2B. On these set of allegations made by him, Crime No.395/2019 came to be registered against the applicants for the offences punishable under Sections 419, 420, 467, 468, 471 read with Section 34 of the Indian Penal Code at Bibwewadi Police Station.

3. Learned APP seeks time to verify the revenue records. Stand over to 2nd April, 2020.

4. In the meantime, in the event of arrest of the applicants in C.R. No. 395/2019 registered with Bibwewadi Police Station, they shall be released on bail on furnishing P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand only), each with one or two sureties in the like sum.

5. The applicants shall report to the Investigating Officer on 26th March, 2020 and 1st April, 2020 between 11:00 to 1:00 p.m.

6. The applicants shall furnish the particulars of their place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from today.

7. The applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

8. Stand over to 2nd April, 2020.”

5. The learned APP on instructions submits that during pendency of the present application, the prosecution has filed charge-sheet against the present applicant. Considering the facts and circumstances of

the case, I am inclined to allow the present application. In the result, the following order is passed :

- (i) The interim order dated 17 March 2022 passed by this Court is hereby confirmed.
- (ii) The application is disposed of.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

Digitally signed
by KANCHAN
PRASHANT
DHURI
Date:
2023.01.17
15:13:19 +0530