



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

**922 ANTICIPATORY BAIL APPLICATION NO. 1988 OF 2024**

1. Jitendra Tarachand Tated,
2. Sow. Preeti w/o Jitendra Tarachand Tated,
3. Kunal s/o Jitendra Tarachand Tated

VERSUS

The State Of Maharashtra

...

Advocate for Applicant : Mr. Salunke Vasant Digambarrao  
APP for Respondents-State: Ms. N. B. Kamble  
Advocate for Assist to APP : Mr. V. S. Janephalkar

...

**WITH  
CRIMINAL APPLICATION NO. 4943 OF 2024  
IN ABA/1988/2024**

....

**CORAM : ARUN R. PEDNEKER, J.**

**Dated : February 26, 2025.**

**PER COURT :-**

1. Criminal Application No.4943 of 2024 is filed for Assist to learned APP. Said application is allowed and disposed of.
2. Heard learned counsel for the applicants, the learned APP for the respondent-State, and the learned Counsel Assist to learned APP.
3. The applicants are apprehending arrest in connection with FIR No.140/2024, dated 16/09/2024, registered at Police Station, Amalner, Taluka Ashti, Dist. Beed, for the offences punishable under sections 420, 468, 467, 471, 406, 120-B read with 34 of the Indian Penal Code.
4. This Court, by order dated 27/11/2024, granted interim protection

to the applicants, which was continued by order dated 13/12/2024.

5. The learned Counsel for the applicants submits that, in pursuance of the order of this Court granting interim protection, the applicants have cooperated with the investigation. He further submits that applicant No.1 purchased the property from the informant, and the allegation in the complaint is that applicant No.1 is not an agriculturist and that the applicants have purchased land beyond the ceiling limit. A complaint against the applicants was made before the Sub-Divisional Officer (SDO), alleging that applicant No.1 is not an agriculturist. The SDO passed an order stating that applicant No.1 is not entitled to purchase the land and directed the applicants to hand over possession of the land to the Government. The said order was challenged by the applicants before the Maharashtra Revenue Tribunal (MRT), and the MRT set aside the order of the SDO.

6. The learned APP submits that the applicants, by impersonating, obtained an illegal certificate claiming to be agriculturists. Based on the said certificate, applicant No.1 purchased a property at Village Roha, District Beed, and subsequently purchased another property in Raigad-Alibaug.

7. This Court has already granted interim protection to the applicants, and *prima facie* the dispute is predominantly civil in nature.

In view of the aforesaid order passed by the MRT, the issue as to whether the applicant is an agriculturist is prima facie at this stage is within the domain of civil proceedings. The applicants have used their own funds to purchase the property. If there is any violation of the Agricultural Tenancy Act or if the applicants have purchased agricultural land in violation of the law, the consequences as indicated in the relevant enactments will follow.

8. In view of the above, the application is allowed in the following terms : -

- i] In the event the applicants are arrested in connection with FIR No.140/2024, dated 16/09/2024, registered at Police Station, Amalner, Taluka Ashti, Dist. Beed, for the offences punishable under sections 420, 468, 467, 471, 406, 120-B read with 34 of the Indian Penal Code, he/they shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.
- ii] The applicant shall attend the police station as and when called by the police.
- iii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.
- iv] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

9. In the event, the applicant violates any of the conditions specified

in this order, it shall be liable to be cancelled.

10. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

11. The application stands disposed of.

( ARUN R. PEDNEKER, J. )

*vj gawade/-.*