



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

**946 ANTICIPATORY BAIL APPLN. NO. 124 OF 2025
WITH
ANTICIPATORY BAIL APPLN. NO. 117 OF 2025**

**SHAIKH MUSTAQ SHAIKH AMIR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Advocate for Applicants : Mr.S.S.Thombre h/f. Mr.S.J.Salunke
APP for Respondent-State : Mr.A.A.A.Khan

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CORAM : ARUN R. PEDNEKER, J.

DATE : 18.02.2025

P.C. :

1] The learned counsel for the applicants submits that they had applied for N.A. orders from 01.01.2008 to 31.12.2008 to the office of the Tahsildar, Jalna and the Tahsil office Jalna has replied that there are no documents / record available in the office in respect of the N.A. orders from 01.01.2008 to 31.12.2008. Considering the said fact, the issue arises whether the N.A. order dated 07.04.2008 in respect of Gat Nos. 84 and 85, which is annexed at Page No. 86 of the Anticipatory Bail Application No.117/2025 is fabricated. If so, the entry recorded in 7/12 extract on the basis of N.A. order dated 07.04.2008 is correct or not. The learned counsel further submits that in the year 2011, the applicants purchased the land in Gat Nos.84 and 85 at

village Sawargaon, Taluka and District Jalna and 7/12 extract of Gat No. 84 at village Sawargaon shows that vide order dated 07.04.2008 land admeasuring 2023 square meters converted for non-agricultural purpose. The learned counsel submits that N.A. order dated 07.04.2008 was provided by the vendors to the applicants. Thereafter, the applicants have made plots on the land.

2] *Per contra*, the learned APP submits that the above properties are still mentioned in the green zone, so also, the large number of officials including the present applicants may be involved in fabricating N.A. order dated 07.04.2008. The learned APP further submits that in the 7/12 extract of the aforesaid Gat numbers, there is no reference of N.A. order dated 07.04.2008. The learned APP submits that custodial interrogation of the applicants would be required to ascertain how many persons are involved in the matter. The learned APP submits that he would take instructions as regards letter dated 10.02.2025 in respect of N.A. orders from 01.01.2008 to 31.12.2008 issued by tahsil office.

3] The Investigating Officer is at liberty to issue summons to the Tahsildar to appreciate the submissions made as regards the non-availability of records for the above noted period from the tahsil office.

4] In addition, it is directed that the concerned Tahsildar to remain present before this Court along with concerned revenue records.

5] The learned APP to intimate this order to the concerned tahsil office.

6] List this matter on 25.02.2025.

7] Interim protection, if any, to continue till the next date.

[ARUN R. PEDNEKER]
JUDGE

DDC