



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 414 OF 2025

Sopan s/o Ramrao Nachane Vs State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. H.N. Mohta, counsel for the applicant.

Ms. Ritu Sharma, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 07/05/2025

1. The present applicant came to be arrested on 17/02/2025 in connection with Crime No. 60/2025 registered with Police Station Akot City, District Akola for the offence punishable under Sections 318(4), 336(2), 340(2), 3(5) of Bhartiya Nyaya Sanhita, 2023.

2. The crime was registered on the basis of a report lodged by Ganesh Suman Govind Bharti, Circle Officer, on an allegation that the information was received that several forged birth and death certificates were issued. The matter was also raised in the meeting which was conducted by the District Collector about the investigation. During the investigation, it was revealed that the present applicant was also involved in forging birth and death certificates, and seals and stamps were seized from the applicant. On the basis of said allegation, the applicant is arrested.

3. Heard learned counsel for the applicant, who submitted that, with false and baseless allegations, the present

applicant is arrested. As far as his involvement in preparing the false document and using fake rubber stamps is concerned, neither the statement of any of the witnesses nor any seizure panchanama, discloses the involvement in the present crime. He is implicated merely on the basis of the statement of the co-accused, which is not admissible, in view of that, he be released on bail.

4. Learned APP strongly opposed for the same on the ground that, during investigation, one seizure memo was drawn, and in the said seizure memo, one blank document and some slips were seized at the instance of the present applicant. In view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that the prosecution entirely relied upon one seizure memo. The seizure memo, nowhere reveals from which place that seal and the blank document were seized by the investigating officer. There is no memorandum statement recorded of the present applicant, except the statement of the co-accused and that seizure memo; there is nothing on record to show the connection of the present applicant with the alleged offence. Considering the nature of the investigation, the applicant has made out a case for grant of bail. Accordingly, I proceed to pass the following order:

a] The criminal application is allowed.

- b] The applicant – Sopan s/o Ramrao Nachane, shall be released on bail in connection with Crime No. 60/2025 registered with Police Station Akot City, District Akola for the offence punishable under Sections 318(4), 336(2), 340(2), 3(5) of Bhartiya Nyaya Sanhita, 2023, on furnishing P.R. Bond of Rs. 25,000/- with one solvent surety in the like amount.
- c] The appellant shall attend the concerned Police Station once in a month on 15th day of every month between 10.00 a.m. to 01.00 p.m. till culmination of the trial.
- d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
- e] The applicant shall attend the proceedings before the trial Court without seeking any exemption unless there are exceptional circumstances.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]