

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 90 OF 2026

Anand Banarasi Patel

...Applicant

V/s.

The State of Maharashtra

...Respondent

Mr. Madhukar Dalvi, a/w Mr. Harsh Parte, Advocate for the Applicant.

Mr. S. R. Agarkar, APP for the Respondent/State.

Adv. Rajesh Ghag, Advocate for Intervener.

CORAM : N.R. BORKAR, J.
DATE : 20.02.2026.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicant is apprehending his arrest in Crime No. 871 of 2025 registered at Kurar Village Police Station, for the offences punishable under Sections 318(4), 336(2), 340(2) & 3(8) of the Bharatiya Nyaya Sanhita, 2023.
3. The applicant is accused No.2 in the above crime. It is the case of the prosecution that the accused No.1 on 21.02.2025

had sold the premises owned by him to the father of the first informant by accepting the consideration of Rs.31 lakhs and lateron he sold the very same premises to the present applicant on the basis of false documents prepared by them.

4. I have heard the learned counsel for the applicant, the learned APP for the respondent-State and learned counsel for the first informant.

5. The learned counsel for the applicant submits that the applicant is a bona fide purchaser of the premises in question. It is submitted that dispute, if any, between the parties is of purely civil nature and the present applicant has already filed a suit and the Civil Court has granted an interim injunction in favour of the present applicant. It is submitted that there is no need of custodial interrogation and the applicant is ready and willing to co-operate in the investigation.

6. On the other hand, the learned APP for the respondent-State and the learned counsel for the first informant submit that during the course of investigation, the Investigating Officer has

recorded the statement of notary before whom the alleged title document in favour of the applicant was executed. It is submitted that the said notary has stated that the alleged title document was never executed before him. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. Admittedly, the father of the first informant, during his life time, has not lodged any report in relation to alleged forgery. Admittedly, civil suit is pending between the parties. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed :

ORDER

- a) The Application is allowed.
- b) In the event of arrest of the applicant in connection with Crime No. 871 of 2025 registered at Kurar Village Police Station, for the offences punishable under Sections 318(4), 336(2), 340(2) & 3(8) of the Bharatiya Nyaya Sanhita, 2023, the applicant be released on bail on furnishing P.R.

Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

c) The applicant shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation.

[N.R.BORKAR, J.]