



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

ANTICIPATORY BAIL APPLICATION NO.423 OF 2018

Shaikh Ibrahim s/o Shaikh Mehboob

.. Applicant

Versus

The State of Maharashtra
through : I/c Police Station Officer,
City Chowk Police Station,
Aurangabad, Taluka and Dist.
Aurangabad and anr.

.. Respondents

Mr Rajendra S. Deshmukh, Advocate for applicant
Mr A.D. Namde, APP for respondents

**CORAM : A.M. DHAVAL, J.
(Vacation Court)**

DATE : 8th May 2018

PER COURT

1. Leave to add documents.
2. The plots from Gut No.84 were owned by Halim Khan. Those plots were sold by Halim Khan to Mohammed Muzafar Ali and there are subsequent transfers by the purchasers by execution of notarised sale deeds. Lastly, the applicant Shaikh Ibrahim has executed notarised sale deed dated 18.12.2010 in favour of the informant. The said transaction whereby six plots were sold for Rs.3 lakhs, the informant is in possession thereof, but filed F.I.R. on the ground that the transfer had no title.
3. Learned Advocate Mr Deshmukh submitted that since the permission from the Collector was not taken, the registered sale deeds could not be executed and as per the practice prevailing, notarised documents were executed.

4. It seems to be a dispute of civil nature. Hence, the applicant deserves to be heard. Hence, the main petition is admitted and interim relief is granted.

5. In the event of arrest of the applicant, in connection with Crime No.86/2018 registered at City Chowk Police Station, Aurangabad, for the offences punishable under Sections 420, 467, 468, 420 read with 34 of Indian Penal Code, the applicant shall be released on interim bail pending this application, on furnishing P.R. bond of Rs.25,000/- with one or two solvent sureties in the like amount.

6. Issue notice to A.P.P. Call Investigating Officer with case diary.

7. Fix the matter for final disposal on 18th May 2018.

8. Parties to act upon the authenticated copy of this order.

(A.M. DHAVAL, J.)

vvr