

MHND010013812026



IN THE COURT OF SESSIONS, AT NANDED DIST. NANDED.

ANTICIPATORY BAIL APPLICATION NO. 496 OF 2026

IN

(CR NO. 36/2026 of Sindkhed Police Station)

1. **Sajid s/o Majid Khan**

Age: 42 years Occu: Agri

2. **Moin s/o Majid Khan**

Age: 30 years Occu: Agri

Both R/o. Wai Bajar, Tq. Mahur

Dist. Nanded

...Applicants

V/s.

The State of Maharashtra

(At the instance of Sindkhed Police
Station)

...Respondent

Appearance :-

Ld. Advocate Mr. M.A. Ektate for applicant.

Ld. APP Mr.s M.A Battula for State.

CORAM : ADDL. SESSIONS JUDGE-1, NANDED

SHRI. T.T. AGLAWE,

:- ORDER :-

(Date :-18-06-2026)

Apprehending their arrest in Crime No. 36 of 2026, registered with Sindkhed Police Station for the offences punishable under Sections 318(2), 336(2), 338, 336(2), 351(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'BNS'), the applicant have filed

the present application for pre-arrest bail under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

2. Perused application and reply of Investigating Officer below Exh.04.

3. Heard Learned advocate for the applicants and learned APP for the State.

4. The case of prosecution is that the applicants prepared fabricated documents, committed forgery and obtained crop insurance under Pradhanmantri Pik Vima Yojna on the agricultural field belonging to and in possession of informant and his family.

5. Ld. Advocate for applicants submits that there is civil dispute of possession between the informant's family and family of the applicants. There is a Government resolution whereby the 'Kul' has right to get crop insurance. The documents of crop insurance are with the insurance company. The applicants are ready to deposit the amount of the insurance. The applicants have not committed any forgery or fabrication of the documents. Therefore, custodial interrogation of the applicants is not required. The applicants are ready to abide by all the terms and conditions.

6. The Ld. APP has argued that the applicants have submitted documents of property belonging to another and obtained the crop insurance. Thereby they have deceived and cheated the informant and

insurance company. The documents are to be recovered and seized. The FIR prima facie discloses intention of cheating. Custodial interrogation of the applicants is necessary to determine the involvement of others in the offence.

7. Advocate for the informant has filed written arguments below Exh. 10 and thereby prayed for rejection of the application.

8. There is specific allegation against the applicants that they obtained crop insurance by fabricating the documents and on the property of others. Say of I.O reflects that in the investigation so far the involvement of the applicants in the alleged offence has been made out. Prima facie from the FIR and say of I.O, case is made out showing the involvement of the applicants in the present offence. The element of cheating and intention to cheat appears against the present applicants. Investigation regarding involvement of others and their role is necessary. Say of I.O further reflects that the applicants were not found at home and they have not co-operated for investigation.

9. Ld. Advocate for applicant has relied on 1) **State of Maharashtra Vs. Naresh Patil, 2016 ALL MR (Cri) 2888** and 2) **Sayed Furqan Ahmed Moha. Ahmed Vs. State of Maharashtra, 2009 ALL MR (Cri) 1711.**

10. In **State of Maharashtra Vs. Naresh Patil**, grant of anticipatory bail was upheld by the Hon'ble High Court as therein it was not the case of prosecution that accused has not co-operated the

investigation. In **Sayed Furqan Ahmed Vs. State of Maharashtra** the Hon'ble High Court found that it was a dispute essentially of a Civil nature pertaining the control over the management rights. The Authorities are distinguishable and would not help to the applicants for pre-arrest bail.

11. In view of the forgoing discussion and in the facts and circumstances, detailed investigation is warranted. For that, arrest and custodial interrogation of the applicants may be necessary. Therefore, this is not fit case for grant of pre-arrest bail. Hence, the following order :-

ORDER

Application is rejected.

Date : 18.06.2026

(T.T. Aglawe)
Addl. Sessions Judge,
Nanded.

CERTIFICATE

I affirm that the contents of this PDF file order are same, word to word, as per the original order.

Name of stenographer	Y.S. Kausadikar, Grade-1
Name of Court	Addl. Sessions Court-1, Nanded
Date of Dictation	18.06.2026
Order signed by the P.O on	18.06.2026
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