

MHRG170003832026



**IN THE COURT OF ADDITIONAL SESSIONS
JUDGE AT PANVEL, DISTRICT- RAIGAD**

Criminal Bail Application No. 184/2026

Arvind Bholenath Jaiswal ---Applicant

Vs.

State of Maharashtra --- Opponent

Appearance-

Ld. Advocate Shri. Ankit S. Bangera for applicant.

Ld. Addl. P P Shri. A.R. Kadam for State.

ORDER BELOW EXH. 1

1. This is an application filed by applicant **Arvind Bholenath Jaiswal** under Section 482 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (in short "BNSS") for anticipatory bail.
2. I.O. has filed say to this application at Exh.5 and strongly opposed the bail application.
3. Perused application, say thereon and documents produced on the record. Heard both sides.
4. Ld. Advocate for applicant submitted that, applicant is innocent and has not committed any offence. Investigation is completed. Charge-sheet is filed. There is nothing remains to be recovered or discovered at the instance of the present applicant. The applicant is ready

to abide any condition to be imposed by the Court. He is ready to co-operate the investigating agency.

5. Ld. Addl. P. P. Shri. A.R. Kadam submitted that offence is of serious nature. Deep investigation is necessary. Co-accused is absconding. Present applicant and co-accused have prepared false power of attorney and sale deed in respect of informant's land. The custodial interrogation of the applicant is necessary. Considering the nature and gravity of the offence, it is not proper to release applicant on anticipatory bail. Hence, prosecution prayed for rejection of bail.
6. Perused FIR and documents placed on record. Informant Mahammad Husen Mahammad Sayed Shilotri is resident of Sector New 50, Sea-wood (West), New Mumbai. On 31/03/2005, he purchased survey Nos. 53/1/A/3, 53/1/A/1, 52/1B situated at Mamdapur. On 21/09/2020, informant was called by Crime Branch, Raigad-Alibag for inquiry in CR.No.11/2020. At that time police has shown him one notarized development agreement and power of attorney executed between Aarya Builders and Developers and informant in relation to the aforesaid property owned by the informant. At that time informant came to know that on the said notarized agreement and power of attorney photos and signatures of the informant were forged with intention to grab the property. The said documents were prepared on the basis of forged election

card of the informant. On the basis of forged documents, construction permission was obtained from Sarpanch and Gramsevak of Grampanchayat. Therefore, the informant lodged report to Neral Police Station C.R.No.109/2020 for the offence punishable under Section 420, 465, 467, 468, 471 read with 34 of the IPC.

7. It is alleged that the applicant has signed on development agreement and power of attorney as a witness. Developer Jitu Ramesh Misal was arrested on 19/06/2021. Charge-sheet against him has been filed. Co-accused Rajesh is absconding. Applicant was served with notice under Section 41-A of the Cr.PC. The role of the present applicant is that he has acted as a witness to the alleged transaction. Nothing is required to be recovered at the instance of the present applicant. No any antecedents have been brought on record. Therefore, custodial interrogation of the applicant is not necessary. Under these peculiar circumstances, anticipatory bail can be granted by imposing certain stringent conditions. As a result, I pass following order.

:: ORDER ::

1. Application (Exh. 1) is allowed.
2. In the event of arrest applicant **Arvind Bholenath Jaiswal** be released on furnishing P.B. and S.B. of Rs.60,000/-(Rupees Sixty Thousand Only) with one or two surety in like amount in Neral Police Station C.R.No.109/2020 for the offence

punishable under Section 420, 465, 467, 468, 471 read with 34 of the IPC.

3. Applicant shall not leave India without previous permission of the Court.
4. Applicant shall not directly and indirectly make any inducement, threat or promise to any person acquainted with facts and circumstances of case so as to dissuade him from disclosing such facts to the police and Court.
5. Applicant shall furnish his permanent and temporary residential proof, valid e-mail ID and mobile number.
6. Applicant shall co-operate in investigation and make himself available for investigation as and when required by the investigation officer.
7. Applicant shall attend the concerned police station on every Sunday in between 10.00 AM to 12.00 PM till filing of charge-sheet against him.
8. Inform the concerned police station, accordingly.
9. In view of the above order, interim application (Exh.4) is also disposed of, accordingly.

Panvel,
Dated :- 09/03/2026

(S. R. Chavan)
Addl. Sessions Judge
Panvel, Dist.-Raigad