

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.283 OF 2022

TANAJI BALAJIRAO NEVHAL PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
WITH
ABA/338/2022

SHANKAR S/O. SHIVAJIRAO NEVAL PATIL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. R. S. Deshmukh, Senior Advocate
i/b. Mr. Devang R. Deshmukh
APP for Respondents - State : Mr. G. O. Wattamwar
...

CORAM : S. G. MEHARE, J.

DATE : 14-06-2022

PER COURT :-

Heard learned counsel for the applicants. The interim protection was granted to the applicants by order dated 24.03.2022. Since then, the matters came before the Court on various dates and the *interim* relief was continued.

2. Learned counsel for the applicants states that during the pendency of these applications, charge-sheet has been filed against the accused showing them absconding. As a normal practice, once a charge-sheet is filed, the applicants-accused may approach before the appropriate court. When his previous

anticipatory application was rejected by the Sessions Court, there was no chargesheet and the accused-applicants had no opportunity to point out the material before the Sessions Court. Therefore, it would be appropriate to continue this order for two weeks with liberty to avail a fresh opportunity to file anticipatory bail application before the Sessions Court based upon the charge-sheet.

3. The fact reveals that the chargesheet is filed during the pendency of these applications. A charge-sheet is also placed on record. Whatever the evidence has been collected by the Investigation Officer against the applicants is made open. The Sessions Court may have an opportunity to go through the material placed before it to arrive at appropriate conclusion, if the fresh applications filed.

4. Hence, the following order -

- I) Applications are disposed of.
- II) The *ad-interim* relief granted to the Applicants shall continue for two weeks from today.
- III) The Applicants are at liberty to file fresh applications before the Sessions Court.
- IV) In no case, further protection shall be extended.

(S. G. MEHARE)
JUDGE