

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.298 OF 2021

AJAY EKNATH GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Sohel E. Siddiqui and
Mr. Madar M. Mulla
APP for Respondent : Mr. K. S. Patil
...

CORAM : S. G. MEHARE, J.

DATE : 22-08-2022

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The learned counsel for the applicant would submit that the false allegations have been levelled against the applicant that he has pushed and beat a police man. In fact, the applicant was not present on the spot. A false allegation is made against the applicant that he fled away from the spot. The custodial interrogation of the applicant is not required.
3. The learned A.P.P. has strongly opposed the application. He has argued that the applicant with his father and brother were aggressive. They have assaulted policeman while discharging the

public service. The applicant and his father and brother were in illegal possession of the liquor. The offence is serious. Hence, the applicant is not entitled to anticipatory bail.

4. The applicant has been protected by way of interim protection since 24th March 2021. The learned counsel for the applicant states that since the day of interim protection, the applicant attended the police station daily. The police did not recover anything from him. The FIR reveals that it has been alleged against the applicant that he pushed and beat the police officers and fled away from the spot. Sufficient attendance was given by the applicant to the police. Considering the facts of the case, the Court is of the view that the application deserves to be allowed. Hence, the following order :-

- i) The application is allowed.
- ii) The interim protection granted to the applicant by the order dated 24th March 2021 stands confirmed on the same terms and conditions of the bail.
- iii) The condition to attend the police station stands relaxed.

**(S. G. MEHARE)
JUDGE**