

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

917 ANTICIPATORY BAIL APPLICATION NO.830 OF 2022

**1. JITENDRA LAXMAN MOHITE AND
2. WALMIK S/O VIJAY MOHITE
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicants : Mr. Salunke Mayur V
APP for Respondent State: Mrs. V. S. Chaudhari

**CORAM : S. G. MEHARE, J.
DATE : 5th AUGUST, 2022**

ORDER:

1. Heard learned counsel for the applicants and learned APP for the State.
2. The facts have been discussed in the order dated 7th July, 2022. Learned counsel for the applicants would submit that nothing is to be recovered from the applicants. The alleged vehicle has already been seized.
3. Learned APP has strongly opposed the application contending that the informant is a public servant. The accused have deterred the public servant from discharging the official duty. Therefore, application may be dismissed.

4. It is the case of prosecution that the public servant had been to the house of the applicants to serve non-bailable warrant against one of the co-accused Ablabai Laxman Mohite. That time, as alleged, the applicants have obstructed the public servant and facilitated Ablabai Laxman Mohite to flee away. Except these, there are no other allegations against the applicants. The vehicle allegedly used in the crime is seized. Considering the facts, this Court is of the view that application deserves to be allowed. Hence, the following order.

ORDER

- (i) The application is allowed.
- (ii) Interim protection granted to the applicants by order dated 7th July, 2022 is confirmed on the same terms and conditions of bail.

(S. G. MEHARE, J.)

JPChavan