

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

921 ANTICIPATORY BAIL APPLICATION NO.887 OF 2022

1. SANGITA VISHWANATH SHIRSATH
2. VISHWANATH TRIMBAK SHIRSATH
3. VIMALBAI SHENFAD RAJALE
4. SHENFAD UTTAM RAJALE – (Dismissed)
5. KANCHAN SHALIWAN @ SHALIKRAO SAWANT
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Mitkari Umesh G.
APP for Respondent-State : Mr. V. M. Kagne.
Advocate for Respondent No.2 : Mr. G. B. Ptankar (Appointed).

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CORAM : S. G. MEHARE, J.
DATE : 23.08.2022

PER COURT :-

1. Heard the learned counsel for the applicants and learned APP for the respondent-State with learned counsel for the first informant.

2. The facts of the case have been discussed in detail in the order dated 18.07.2022. Considering the facts and the role attributed to the applicants, interim protection was granted to them.

3. The learned APP has placed the record before the Court and would submit that the children of the deceased did not

state the applicants' name in their statements under Section 164 of the Cr.P.C.

4. Considering the papers, there appears no direct evidence against the applicants. Therefore, their police custody would not serve the purpose. Hence, the application deserves to be allowed. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the applicants by an order dated 18.07.2022 stands confirmed on the same terms and conditions.
- (iii) Since Mr Patankar, learned counsel is appointed to prosecute the cause of the first informant, his fees be paid as per the schedule of fees maintained by the High Court Legal Services Authority, Sub-Committee, Aurangabad.

(S. G. MEHARE, J.)

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vmk/-