

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.973 OF 2022

NAMDEV NABAJI SONKAMBLE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Bharat N. Gadegaonkar
APP for Respondent : Mr. V. M. Kagne
...

CORAM : S. G. MEHARE, J.

DATE : 29-08-2022

PER COURT :-

1. Heard the learned counsel for the applicants and learned A.P.P. for the respondent/State.
2. The facts have been discussed in detail in the order dated 27.07.2022. The applicant and the complainant have a family dispute. The complaint is not consistent with the fact as regards committing theft by the applicant by removing the entire articles of the golden ornaments from her house. Other similarly situated accused have been released on anticipatory bail.
3. The learned A.P.P. argued that the offence is serious. The serious allegations of stealing golden ornaments have been levelled against the applicants. Those ornaments are required to be recovered.

4. Perused the papers. It appears that the other similarly situated co-accused have already been released on bail. The paper does not disclose the direct evidence against the applicants. Therefore, there appears a substance in the submission advanced by the learned counsel for the applicants that due to the civil dispute between the complainant and applicants, the false allegations have been levelled against them. However, it raises a serious doubt. In the circumstances, the application deserves to be allowed. Hence, the following order :-

- i) The application is allowed.
- ii) The order granting interim protection to the applicants by this Court dated 27.07.2022 is confirmed on the same terms and conditions.

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

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