

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1101 OF 2022

RUBINA ASHPAK CHAND SHAIKH AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr.Rohit P. Patwardhan
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 applicant and the learned A.P.P. for the respondent/State.
2. The facts of the case have been discussed in detail in the order dated 22.08.2022. It has been alleged against the applicant that applicants have obstructed the police when they were taking the other accused to the police station.
3. The learned A.P.P. has strongly opposed the application contending that applicants have deterred the public servants from discharging their duty. Therefore, the applicants may not be entitled to anticipatory bail.

4. Considering the facts of the case, there appears nothing on record to satisfy the Court that the custodial interrogation of the applicants would serve the purpose. No weapons have been used in the alleged crime. Bare allegations have been levelled against the present applicants that they have obstructed the police while taking the arrested accused. Therefore, the application deserves to be allowed. Hence, the following order :-

- i) The application is allowed.
- ii) The *ad-interim* protection granted to the applicants by the order of this Court dated 22.08.2022 is confirmed on the same terms and conditions.

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

rrd