

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

913 ANTICIPATORY BAIL APPLICATION NO.1170 OF 2022

ARUN YURAJ BANKAR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Ambildhage Ganesh Arjun .
APP for Respondent-State : Ms. V. S. Choudhari.
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CORAM : S. G. MEHARE, J.
DATE : 21.09.2022

PER COURT :-

1. Heard the learned counsel for the applicant and learned APP for the respondent-State.
2. It has been alleged against the applicant that the applicant with co-accused Milind trespass the house of the complainant, opened the cupboard and broke open the locker and took away Rs.20,000/- and a golden ring. Both the parties are on enmical terms. They have history of litigations. The complainant has also been charged for serious assault to the family members of the applicant. Both the parties have lodged reports against each other.
3. Perused the papers. To support the allegations of breaking open the cupboard, spot panchnama does not reveal

any such evidence. The statement of the witnesses does not corroborate by the spot panchnama. Therefore, the case of the applicant is accepted.

4. In view of the facts of the case, this Court is of the view that the prosecution has no case for custodial interrogation. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the applicant by the order dated 30.08.2022 stands confirmed on the same terms and conditions.

(S. G. MEHARE, J.)

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vmk/-