

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1247 OF 2022

SACHIN SUKHDEO BHANGAD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Avinash R. Borulkar
APP for Respondent/State : Mr. K. S. Patil
...

CORAM : S. G. MEHARE, J.
DATE : 26-09-2022

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The facts have been discussed in detail in the order dated 19.09.2022. The question has been raised about the applicability of Section 328 of the Indian Penal Code. The issue as regards the applicability of Section 328 of the IPC is seized with the Honourable Supreme Court and the *interim* protections were granted to the persons approached to the Honourable Supreme Court. That apart, considering the allegations levelled against the applicant, it appears that he has played no active role. On the contrary, his car was taken by the accused without his knowledge that it was used for carrying Gutka. The applicant has a good case for anticipatory bail. Hence, the following order :-
 - i) The application is allowed.
 - ii) The order granting interim protection to the applicant by the order dated 19.09.2022 is confirmed on the same terms and conditions.

(S. G. MEHARE)
JUDGE