

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

16 ANTICIPATORY BAIL APPLICATION NO.1252 OF 2022

SAHEBRAO MOTILAL RATHOD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Bhosle Santosh C.
APP for Respondent-State : Mr. V. M. Kagne.

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CORAM : S. G. MEHARE, J.
DATE : 03.10.2022

PER COURT :-

1. Heard the learned counsel for the applicants and learned APP for the respondent-State.
2. The facts of the case have been discussed in detail in an order dated 19.09.2022. Considering the facts, interim protection was granted to the applicants.
3. It appears that the complainant had two fold allegations against the applicants. At one hand, it has been alleged that the applicants demanded him Rs.2,00,000/- as his truck was carrying the ration shop rice. Lastly, he paid them Rs.20,000/-. On the other hand, he alleged that even after paying Rs.20,000/- to them, the complainant reported to the Tahsildar and Tahsildar seized the truck and made an inquiry. Considering these contradictory allegations, the intention to

extract the money becomes weak. Therefore, the interim protection was granted.

4. Learned APP has argued that there are seven antecedents to the discredit of applicant No.1 Sahebrao. However, he has fairly conceded that those are the offences not similar to the present case.

5. Learned counsel for the applicants would submit that in all five offences, the applicant No.1 has been acquitted. Be that as it may, considering this case and the contradictory allegations of the complainant as well as inordinate delay in lodging the FIR, the applicants have good case for anticipatory bail. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the applicants by the order dated 19.09.2022 stands confirmed on the same terms and conditions with an additional condition to attend the Police Station as and when called by the Investigating Officer on written notice.

(S. G. MEHARE, J.)

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vmk/-