

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

**929 ANTICIPATORY BAIL APPLICATION NO.1299 OF 2022
WITH APPLN/3380/2022 IN ABA/1299/2022**

GANPAT MAROTI DEGAVE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Ingole R. K.
APP for Respondent-State : Ms. V. S. Choudhari.
Adv. for Complainant to assist learned APP : Mr. Rudrawar S.G.

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CORAM : S. G. MEHARE, J.
DATE : 06.10.2022

PER COURT :-

1. Heard the learned counsel for the applicants, learned APP for the respondent-State and learned counsel for the complainant assisting the learned APP.
2. The facts have been discussed in detail in an order dated 28.09.2022. Considering the facts of the case, the interim protection was granted to the applicants.
3. Learned APP and learned counsel appearing for the complainant have opposed the application contending that the applicants have snatched the golden ring and bracelet from the person of the complainant. It is to be recovered.

4. Considering the circumstances of the case, this Court disbelieves the allegation of snatching golden ring from the finger of the complainant and also disbelieves the story that he being the Secretary of Trust was confined in his own school and forcibly asked him to sit under the tree in presence of the other staff and students.

5. Perused the papers produced by the learned APP. However, there is no material to believe that the allegations are reasonable and justifiable. In view of the fact that the applicants had lodged the report against the complainant and the explanation was sought by the Education Officer from Head Master and suspended his salary. Learned counsel for the applicants may be correct in pointing out that there was a great possibility of implicating the applicants in a false crime. In view of the facts of the case, the application deserves to be allowed. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the applicants by the order dated 28.09.2022 stands confirmed on the same terms and conditions.

- (iii) Criminal Application No.3380 of 2022 to assist learned APP is allowed.

(S. G. MEHARE, J.)

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vmk/-