



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2018 OF 2023

Sahebrao Ramrao Wable

...Applicant

VERSUS

The State Of Maharashtra

...Respondent

WITH

CRIMINAL APPLICATION NO. 4390 OF 2023

Kishor Pandurang Kale

...Applicant

VERSUS

Sahebrao Ramrao Wable And Another

...Respondent

...

Mr. R. R. Karpe, Advocate for the Applicant.

Mr. S. B. Narwade, APP, for the Respondent – State.

Mr. A. V. Hon, Advocate for the informant.

...

CORAM : R.M. JOSHI, J

DATE : DECEMBER 08, 2023

PER COURT :

1. Learned Counsel for the Applicant submits informant is the person against whom departmental enquiry was conducted and he was reduced in the rank from the post of Secretary to Supervisor. It is his submission that the Applicant is the one who had challenged the order passed by Appellate Authority by filing Writ Petition before this Court. It is his

submission that owing to the dispute between the parties, Applicant is sought to be falsely implicated in this crime.

2. Mr. A. V. Hon, learned Counsel for the Applicant in Application No. 4390 of 2023 seeks permission to assist APP.

3. Having regard to the nature of offence, he is permitted to assist APP. Criminal Application No. 4390 of 2023 stands disposed of.

4. Learned Counsel for the informant submits that Applicant is the person who was instigating co-accused to cause assault on the informant. Though he sought to place reliance on the alleged video clip of the incident but from the said clip he was unable to show that the Applicant is instigating the co-accused to cause assault.

5. This Court *prima facie* finds substance in the contention of learned Counsel for the Applicant that this could be a case of false implication. Hence, liberty of the Applicant is protected till prosecution is heard in the matter. Hence, the order:

O R D E R

- (i) Issue notice to the Respondents, returnable on 17th January, 2024. Learned APP waives service of notice on behalf of Respondents.
- (ii) Till next date, in the event of arrest the Applicant in connection with C.R. No. 1212 of 2023 registered with Shrirampur City Police Station, Dist. Ahmednagar for the offences punishable under Sections 353, 341, 324, 323, 504, 506, 427, 143, 147, 148, 149 of IPC and Sections 37(1)(3) and 135 of the Maharashtra Police Act, he shall be released on bail on furnishing PR bond of Rs. 15,000 (Rupees Fifteen Thousand Only) with one surety in the like amount.
- (iii) He shall attend the concerned police station as and when required.
- (iv) He shall not contact the witnesses directly or indirectly.
- (v) He shall not interfere with the evidence in any manner whatsoever.
- (vi) He is further directed to cooperate the investigating agency for further investigation.

(R. M. JOSHI, J.)

Malani