



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2374 OF 2023

Sohel Mahatab Nadaf ...Applicant
Versus
The State of Maharashtra ...Respondents

Mr. Hrishikesh Shinde, for the Applicant.
Mrs. Geeta Mulekar, for the State/Respondent.
PC G. U. Komade, MIDC Police Station, Solapur City,
present.

CORAM: N. J. JAMADAR, J.
DATED: 5th OCTOBER, 2023

ORDER:-

1. Heard the learned Counsel for the parties.
2. By an order dated 24th August, 2023 this Court was persuaded to grant interim protection observing *inter alia* as under:

“3. The allegations against the applicant, *prima facie*, seem to be that of facilitating the change of shirt of the assailant Mahesh Shejerao after the occurrence and destruction of the shirt which the said assailant was wearing at the time of occurrence. The applicant seems to have been implicated primarily for the offence punishable under section 201 of the Indian Penal Code on the basis of statement of co-accused under section 27 of Indian Evidence Act.

4. In the charge-sheet also, it does not seem to be the prosecution case that the applicant was one of the assailants. The applicant is stated to be prosecuted for the offence punishable under section 201 of the Penal Code. Therefore, a *prima facie* case is made out to grant interim protection.”

3. The learned APP, on instructions of the Investigating Officer, who is present in Court, informs the Court that the applicant has appeared before the Investigating Officer and cooperated with the investigation. Having regard to the nature of the accusation further custodial interrogation of the applicant does not seem to be warranted as *prima facie* the applicant is not alleged to be one of the assailants. Hence, I am impelled to make the order of interim bail absolute.

4. Hence, the following order:

: O R D E R :

(i) Order of interim bail dated 24th August, 2023 is made absolute on the terms and conditions incorporated therein.

(ii) The applicant shall henceforth appear before the Investigating Officer as and when directed.

(iii) The applicant shall regularly attend the proceedings before the jurisdictional Court.

Application stands disposed.

[N. J. JAMADAR, J.]