

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 93 OF 2024

Gajanan Sopanrao Sorekar And Another

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicants : Mr. Sohail Subhedar h/f Mr. N.S. Ghanekar

APP for Respondent/State : Ms. P.R. Bharaswadkar

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CORAM : S.G. MEHARE, J.

DATED : JULY 18, 2024

PER COURT:-

1. Heard learned counsel for the applicants and learned APP for the State.
2. The applicants seek pre-arrest bail in Crime No.169 of 2023 registered with Daithana Police Station, District Parbhani for the offence punishable under Sections 307, 323, 324, 326, 336 read with 34 of the Indian Penal Code.
3. The FIR does not reveal specific role attributed to the applicants. The applicants were waiters in the hotel where the alleged incident happened. In subsequent statement of the injured also, not attribute the specific role to the applicants. Except the word beating, nothing is there to establish that the applicants assaulted the injured. Probably, they might be present there since they were the waiters in the hotel. Considering the role attributed to the

applicants, this Court has granted them interim protection by order dated 23.01.2024. The applicant Munjaji could not attend the police station due to the Maratha reservation issue.

4. After having gone through the papers and the material produced before the Court, the Court is of the view that the custodial interrogation of the applicants is not essential. However, certain conditions may be imposed to have a fair investigation. Hence, the following order :

ORDER

- (i) Anticipatory Bail Application is allowed.
- (ii) The order granting interim protection dated 23.01.2024 on the same conditions stands confirmed.
- (iii) Both applicants shall attend the concerned police station as and when called on written notice by the investigation officer.

(S.G. MEHARE, J.)