



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 569 OF 2024

1. Yash Pradip More
2. Sameer Sandip Arane
3. Sunny Sandip Arane (withdrawn) ...Applicants

Versus

1. The State of Maharashtra
2. The Police Inspector,
Rahata Police Station ...Respondents

...
Advocate for Applicant : Mr. Avinash N. Barhate Patil
APP for Respondents: Mr. B.B. Bhise

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CORAM : SHIVKUMAR DIGE, J.
DATED : 3rd SEPTEMBER, 2024.

PER COURT :-

1. The learned counsel for the applicants, on instructions, submits that the applicant No.3 has been arrested during the pendency of this application and he has been released on regular bail, hence, the application against the applicant No.3 has become infructuous. Considering his submission, the application to the extent of applicant No.3 Sunny Sandip Arane is disposed of as infructuous.

2. In so far as the applicant Nos. 1 and 2 are concerned, they apprehend arrest in connection with crime No. 80 of 2024 registered

with Rahata Police Station, district Ahmednagar, for the offences punishable under Sections 307, 143, 149 of the Indian Penal Code.

3. It is the prosecution's case that the applicant had performed a love marriage with Rina Kakde. She got a job on compassionate ground. There was dispute about it between the informant's wife Rina Kakde and her brother. It is alleged that on 14.2.2024 when the informant and his wife were going on motor cycle, at that time, their motor cycle was dashed by one car. The said dash was so rash with intention to kill them. It is alleged that the said car was driving by accused No.1 Tushar and applicants were present in the said car at the time of accident.

4. It is the contention of the learned counsel for the applicants that the applicants have been falsely implicated in this case. There is delay of three days in lodging the F.I.R. The applicants were sitting in the car and it was driven by accused No.1 Tushar. Considering the allegations against the applicants, their custodial interrogation is not required and requested to allow the application.

5. It is the contention of the learned APP that the dispute was going on between the informant's wife and her brother. Accused No.1 is relative of brother of informant's wife. On that count the

applicants and accused No.1 tried to kill the informant. The applicants were present in the car at the time of incident. The entire incident is captured in the CCTV footage, which shows the involvement of the applicants in the crime. Considering the allegations against the applicants, their custodial interrogation is required and requested to reject the application.

6. I have heard both the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicants are that they were present in the car at the time of incident. At the time of incident, the accused No.1 was driving the car. Considering the allegations against the applicants, their custodial interrogation is not required and I pass the following order:-

ORDER

- (i) The application is allowed.
- (ii) The interim anticipatory bail granted to the applicant Nos. 1 and 2 vide order dated 18.04.2024 stands confirmed on the same terms and conditions with following modification:-
 - (a) the applicants shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)