



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

13 ANTICIPATORY BAIL APPLICATION NO.1089 OF 2024

SHAIKH GANI MOHD. BAKRUDDIN AND OTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for the applicant : Mr.Joydeep Chatterji
APP for Respondent-State : Mr.P.K.Lakhotiya
Advocate for the Assist to P.P. : Adv.R.R.Awhad h/f.
Adv.S.S.Patil

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 11.11.2024

P.C. :

1] Heard learned counsel for the applicants and the learned APP for the respondent-State.

2] The applicants are apprehending arrest in connection with Crime No. 0519/2024 registered at MIDC Waluj Police Station, District Aurangabad, for the offences punishable under sections 395, 448, 452, 341, 427 of the Indian Penal Code.

3] It is the case of the complainant that the applicants along with more than 5 people entered into the house of the informant and dispossessed the informant from

the house. It is further alleged that the applicants robbed the articles of gold from the house. On the basis of the said allegations, the crime is registered against the applicants for the offence noted above.

4] The learned counsel for the applicants submits that the parties are related and that the applicants have received the house property in will from the father of the applicants and the complainant. The offence is registered after near about 5 days and that the dispute between the parties is purely in civil nature. The learned counsel for the applicants further submits that the charge sheet is filed in the matter and custodial interrogation of the applicant is not necessary.

5] The learned APP submits that the applicants along with other people entered into the house of the informant and dispossessed the informant from the property unlawfully and goods of the informant were robbed from the house of the informant. Goods are recovered from the custody of the applicants, however, the gold ornaments are yet to be recovered. The learned APP further submits that further interrogation of the applicants is necessary in the matter. The learned APP submits that charge sheet qua the applicants is pending as investigation is not complete.

6] Considering the above facts, further investigation would be necessary in the matter. The custodial interrogation of the applicants are also necessary in the matter. No case is made out to grant anticipatory bail in favour of the applicants. Hence, the Anticipatory Bail Application is dismissed.

7] The observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8] In view of dismissal of Anticipatory Bail Application, pending Criminal Application, if any, also disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC