



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

984 ANTICIPATORY BAIL APPLICATION NO. 1233 OF 2024

Dnyaneshwar Dasharth Borude

VERSUS

The State of Maharashtra

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Advocate for Applicant : Mr. K.N. Shermale

APP for Respondents: Mrs. M.L. Sangit

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CORAM : SHIVKUMAR DIGE, J.

DATED : 29th AUGUST, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No. 0809 of 2023 registered with Newasa Police Station, district Ahmednagar, for the offences punishable under Sections 363, 427, 307, 504, 506 r.w. 34 of the Indian Penal Code and under sections 3, 7, 25, 27 of Arms Act and under section 4 of Maharashtra Media Persons and Media Institutions (Prevention of Violence and Damage or Loss to Property Bill) 2017.

2. It is the prosecution's case that the informant is a reporter. He had published news against the applicant in the newspaper. On that ground the applicant and co-accused had anger in their minds about the informant. On 2.8.2023 at 8.00 a.m. when the informant was present with his mother in his house, at that time, the applicant and

co-accused came there, abused and manhandled the informant and his mother. It is alleged that thereafter, the applicant and co-accused took the informant in their car and kidnapped him. It is alleged that the applicant and co-accused tried to kill the informant by pressing his neck.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The matter is settled between the applicant and the informant. They have filed writ petition for quashing of the present crime, which is pending before this court. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP that the applicant and co-accused abused the informant and his mother. They kidnapped the informant and tried to kill him. Considering the allegations against the applicant, his custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and the police papers produced on record. The matter is settled between the applicant and the informant. The writ petition, filed for quashing

of F.I.R. the informant has stated that due to misunderstanding, he has filed the complaint against the applicant and co-accused. Considering this fact, the custodial interrogation of the applicant is not required and I pass the following order:-

ORDER

- (i) The application is allowed.

- (ii) The interim anticipatory bail granted to the applicant vide order dated 20.07.2024 stands confirmed on the same terms and conditions.

(SHIVKUMAR DIGE, J.)

rlj/