



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

966 ANTICIPATORY BAIL APPLICATION NO. 1374 OF 2024

PRAKASH VITTHALRAO CHOLE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. S.S. Thombre
APP for Respondents/State : Mrs. M.L. Sangit
Advocate for assisting APP : Mr. V.P. Bakal

...
CORAM : ARUN R. PEDNEKER, J.

Dated : November 27, 2024

PER COURT :-

1. Heard the learned counsel for the applicant, the learned APP for the respondents-State and Mr. V.P. Bakal, learned advocate assisting the learned APP.
2. The applicant is apprehending arrest in connection with Crime No. 378/2024 dated 26.7.2024 registered at Chikhalthana Police Station, District Aurangabad for the offences punishable under sections 471, 468, 467, 465, 441, 420, 417 and 120-B of I.P.C.
3. The applicants have purchased the property in the year 2008 by registered sale deed from one of the co-owner of the property. FIR is registered in the year 2024. There is some dispute, whether the co-owner has absolute right to sell the property.
4. Considering the nature of allegations in this case, I hold that custodial interrogation of the applicants is not required and the applicants are entitled for the relief claimed.
5. In view of the above, the application is allowed and the interim protection granted by this Court vide order dated 12.8.2024 is confirmed on the following terms :

i] The applicants shall attend the concerned police station as and when required.

ii] The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

6. In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

7. It is also clarified that 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. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

ssc/