



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

972 ANTICIPATORY BAIL APPLICATION NO. 1532 OF 2024

1. Shaikh Jakir S/o Shaikh Gous
2. Umar S/o Rafik Shaikh
3. Sayyad Saqlain S/o Sayyad Gaibu ...Applicants

Versus

1. The State of Maharashtra
2. The Investigating Officer
Dharmabad police station ...Respondents

...

Advocate for Applicants : Mr. Dhananjay M. Shinde

APP for Respondents: Mr. Mukesh K. Goyanka

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CORAM : SHIVKUMAR DIGE, J.
DATED : 19th SEPTEMBER, 2024.

PER COURT :-

1. The applicants apprehend arrest in connection with crime No.216 of 2024 registered with Dharmabad Police Station, district Nanded, for the offences punishable under Sections 281, 125, 125 (b) of the Bhartiya Nyay Sanhita (B.N.S.) and under Sections 4/25 of Arms Act.

2. It is the prosecution's case that on 24.07.2024 around 2.00 a.m. the informant and his friends were going in one pickup vehicle alongwith purchased Ox. When the informant stopped the said vehicle by the side of the road for urinating, at that time, the

applicant's Innova Car gave a dash to his vehicle from back side. It is alleged that due to the said dash, the relatives and friend of the informant got injured. It is alleged that the informant and his friends noticed two big knives and one wooden rod on the seat of the Innova car.

3. It is the contention of the learned counsel for the applicants that applicants have been falsely implicated in this case. The offences applied against the applicants are bailable except sections under the Arms Act. The police have seized the big knives from the Innova car. Considering these facts, the custodial interrogation of the applicants is not required and requested to allow the application.

4. It is the contention of the learned APP that the applicants were going in Innova car which dashed the pickup vehicle of the informant. Due to the said dash, the informant's friend and relatives were injured. Two big knives were found in the Innova car. It is necessary to make investigation about the source of those two knives. Considering the allegations against the applicants, their 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 allegations against the

applicants are that in the Innova car, in which they were travelling, two big knives were lying on the back side seat. The police have seized the said two big knives. Considering these facts, the custodial interrogation of the applicants is not required and I pass the following order :-

ORDER

- (i) The application is allowed.

- (ii) The interim anticipatory bail granted to the applicants vide order dated 09.09.2024 stands confirmed on the same terms and conditions:-

(SHIVKUMAR DIGE, J.)

rlj/