



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

ANTICIPATORY BAIL APPLICATION NO. 1469 OF 2023

INDRAJEETSINH RANJEETSINH THAKUR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Mr. Abhijit S. More, Advocate for Applicant
Mr. S.V. Hange, APP for Respondents/State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 04th MARCH, 2024

PER COURT :

1. Applicant apprehends arrest in C.R. No.341/2023, registered with Naldurg Police Station, Osmanabad, for offence punishable under Sections 394, 395, 341 of the Indian Penal Code.
2. FIR is lodged by Sahadeo Sambhaji Madje, driver, alleging that on 14/07/2023, he loaded chemical drum from Pune and transported towards Hyderabad. He unloaded said goods on 17/07/2023 and started returned journey by accepting transporting fair of Rs.35,000/-. On 19/07/2023, at about 11:00 p.m., his vehicle came near T-point at Naldurg. At that time, one Bolero Jeep came in front of his tempo and stopped his vehicle. Then, two persons came on the motorcycle at said place. All of them got down from their vehicles and took key of the tempo from informant. They abused and assaulted informant. Then, two persons entered in tempo and drove away the same. They were asked to check the tempo in front

of their boss. They forcibly taken away Rs.35,000/- from his pocket. Thereafter, two persons took informant on motor-cycle and left him near hotel towards Jalkot.

3. Heard learned APP for respondents/State and learned advocate for applicant. Perused the investigation papers.

4. Applicant claims to be innocent person and he is falsely implicated in present crime because he is a whistle blower. He has made several complaints to police authorities and the Government about illegalities committed at Naldurg. Copies of some of the complaints are tendered across the bar by learned advocate for applicant. He further claims that, as he was repeatedly complaining about illegal business being run at Naldurg, police officers have falsely implicated him in present crime. At his instance inquiry was initiated against police officers of Naldurg Police Station by Superintendent of Police, Osmanabad, through Sub-Divisional Officer. He further claims that there was substance in his complaints and therefore, those police officers who had falsely implicated him in present crime, are transferred to the Headquarter at Osmanabad.

5. Learned APP by relying on the investigation papers opposed the application.

6. Present offence is registered on 21/07/2023 and charge-sheet in present crime is filed on 21/10/2023. It is claimed by

prosecution that, on the basis of CDR applicant's involvement in present crime is made out. Applicant's name was not mentioned in the FIR and he is subsequently implicated in present crime. Also, after grant of interim protection, one more offence at C.R. No.467/2023, under Sections 395, 386, 364(A), 341 and 342 of I.P.C. is registered against applicant on 30/09/2023.

7. On instructions, learned APP confirms the fact that on the complaint of applicant inquiry was initiated against police officers posted at Naldurg Police Station and in the inquiry it was found that there is substance in the said complaint and therefore, these police officers are transferred to Headquarter at Osmanabad and their one increment is stopped for one year. Considering this background, there appears merit in contention of applicant that he is falsely implicated in present crime. Since charge-sheet is filed, pre-trial custodial detention of applicant is not necessary in present case.

8. Hence, the application is allowed by confirming interim protection granted to applicant by order dated 06/09/2023.

(NITIN B. SURYAWANSHI, J.)