



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1 ANTICIPATORY BAIL APPLICATION NO. 1994 OF 2024
WITH
CRIMINAL APPLICATION NO. 4880 OF 2024

SUNIL BABASAHEB MASWALE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Pokale Dnyaneshwar Bhaurao
APP for Respondents/State : Mr. S.K. Shirse
Advocate for assisting APP : Mr. R.G. Hange

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WITH
ANTICIPATORY BAIL APPLICATION NO. 2006 OF 2024
WITH
CRIMINAL APPLICATION NO. 4881 OF 2024

BHAGWAN MADHAVRAO SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. K.S. Solanke h/f. Mr. S.J. Naik
APP for Respondents/State : Mr. S.B. Pulkundwar
Advocate for assisting APP : Mr. R.G. Hange

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CORAM : ARUN R. PEDNEKER, J.

Dated : December 09, 2024

PER COURT :-

1. Applications filed for assisting the learned APP are allowed. Mr. R.G. Hange, learned advocate is allowed to assist the learned APP.
2. Issue notice to the respondents, returnable on 16.12.2024. The respective learned APP waives service of notice for respondents/State in respective matters.
3. Heard learned counsel for the applicants, the respective learned APP for the respondents-State and Mr. R.G. Hange, learned advocate assisting APP.

4. The applicants in both the applications have approached this Court, apprehending arrest in connection with Crime No. 439/2024 dated 11.9.2024 registered with Shivaji Nagar Police Station, District Beed for the offences punishable under sections 118(2), 3(5), 351(2), 351(3), 352 of Bhartiya Nyaya Sanhita, 2023.

5. It appears that there has been fight between two groups over some contract being given. The incident is dated 9.9.2024 and the F.I.R. is registered on 11.9.2024. Injury certificate is produced wherein injury sustained by the injured on shoulder is described as grievous, but there is no fracture on shoulder. Injured sustained is contusion injury.

6. The learned counsel for the applicants have produced the copy of the order dated 24th October 2024 passed by this Court in ABA No. 1857/2024 wherein interim protection to the applicants therein, who are from rival group, has been granted by this Court.

7. Considering the allegations made against the applicants, the nature of injuries and as the interim protection granted to the accused persons from rival group, I deem it appropriate to grant the interim relief in favour of the applicants herein.

8. In the meanwhile, there shall be interim order in the following terms :-

A] In the event the applicants are arrested in connection with Crime No. 439/2024 dated 11.9.2024 registered with Shivaji Nagar Police Station, District Beed for the offences punishable under sections 118(2), 3(5), 351(2), 351(3), 352 of Bhartiya Nyaya Sanhita, 2023, they shall be released on bail on furnishing PR bond of Rs. 15,000/- with one or two sureties in the like amount.

B] The applicants shall remain present before the investigating officer from 11.12.2024 to 14.12.2024 between 10.00 a.m. and 01.00 p.m. and thereafter as and when required by the investigating officer.

C] The applicants shall co-operate with the investigation, including producing all documents in his possession, as may be demanded by the investigating officer.

D] The applicants shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.

9. Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

10. This order shall be operative till the next date only.

(ARUN R. PEDNEKER, J.)

ssc/