

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2019 OF 2024

1. Sopan Devram Rawade
2. Gokul Dhondiba Rawade
3. Pritam Kisan Rawade
4. Vaibhav Gajanan Rawade
5. Vijay Baban Rawade
6. Sandip Shrirang Rawade
7. Yash Rajendra Rawade
8. Akshay Rambhau Rawade
9. Navnath Vinayak Rawade
10. Omkar Mhasku Rawade
11. Sameer Ramdas Rawade
12. Dattatray Vitthal Rawade
13. Pramod Khandu Rawade
14. Vivek Rajendra Rawade
15. Omkar Shantaram Rawade
16. Rajendra Bhairu Rawade
17. Rahul Dada Rawade
18. Pravin Chandrakant Rawade
19. Shubham Maruti Rawade
20. Aditya Balu Rawade ... Applicants
Versus
The State of Maharashtra ... Respondent

**WITH
INTERIM APPLICATION NO. 3667 OF 2024
IN
ANTICIPATORY BAIL APPLICATION NO. 2019 OF 2024**

Rutuja Sagar Rawade ... Applicant
Versus
The State of Maharashtra ... Respondent

Mr. Sandeep Parekh a/w Ms. Suchita Chavan h/f Prabhakar Jadhav
for the Applicants.

Mr. Balraj B. Kulkarni, APP for Respondent-State.

Mr. Bhavin Jain a/w Ganesh Gole i/by Ateet Shirodkar for Intervenor in IA/3667/2024.

Mr. A. S. Chorge, PSI, Saswad Police Station.

CORAM: MANISH PITALE, J.

DATE : 25th SEPTEMBER 2024

P.C. :

. Heard learned counsel for the applicants and learned APP for the respondent-State.

2. By order dated 31st July 2024, this Court granted interim relief in favour of the applicants, subject to specific conditions, including a condition that the applicants would appear before the Investigating Officer on 1st August 2024 and thereafter, as and when called by the Investigating Officer.

3. The applicants indeed abided by the conditions imposed by this Court.

4. On the last occasion, on 9th September 2024, the hearing of this application was adjourned at the request of the learned counsel appearing for the first informant, who has filed an intervention application. It was submitted that if adjournment is granted, the learned counsel for the first informant/intervenor would assist this Court. Accordingly, the application was adjourned for today with the interim relief being continued.

5. Even today, when the application is called for hearing,

adjournment is sought on behalf of the learned counsel appearing for the first informant/intervenor. This Court is not inclined to adjourn the hearing of this application any further.

6. The learned counsel for the applicants reiterated the submissions made before this Court and recorded in detail, in the order dated 31st July 2024. He submits that since the applicants have abided by all the conditions imposed in the said order and they have cooperated with the investigation, this Court may consider allowing the application.

7. The learned APP confirms the fact that the applicants indeed appeared before the Investigating Officer and that they have cooperated with the investigation.

8. In the order dated 31st July 2024, while granting interim relief, in paragraph 9, this Court observed as follows :

“9. Having considered the material on record and upon hearing the rival submissions, this Court is of the opinion that while opportunity can be granted to the learned APP to produce the relevant papers, the applicants have made out a case for granting interim relief, for the following reasons:

a. Incident is said to have taken place on 29.09.2023 at about 2:00 p.m. and the first occasion on which the informant approached the police was 04.10.2023. This is clear from the statement of the informant itself, thereby showing that the police was approached five days after the incident;

b. There is prima facie substance in the contention raised on behalf of the applicants that the present FIR appears

to be a counterblast in connection with earlier FIR dated 30.09.2023 registered at the very same police station, wherein the husband of the informant in the present FIR is a prime accused person;

- c. While specific allegations have been made against two accused persons along with the use of weapons on their part for inflicting injuries on the victims, as against the applicants, general and omnibus statements have been made without attributing any specific role or overt act on the part of the applicants.”*

9. For the aforesaid reasons, the application deserves to be allowed.

10. Accordingly, the interim order dated 31st July 2024 is made absolute and the application is allowed.

11. The applicants shall continue to cooperate with the investigation. They shall not influence the informant, witnesses or any other person concerns with the case, and shall not tamper with the evidence.

12. In view of the disposal of the anticipatory bail application, the intervention application also stands disposed of.

MANISH PITALE, J.