



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

954 ANTICIPATORY BAIL APPLN NO. 122 OF 2025

1] FARUK JUMMA USTAD
@ MO. FARUK BAIG YUSUF BAIG
2] MUJAWAR MOHAMMAD JAID FARUK BAIG
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Adv.K.S.Sarin
APP for Respondent-State : Mr.B.B.Bhise
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 14.02.2025

P.C. :

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

2] The applicant no.2 is apprehending arrest in connection with Crime No. 845/2023, registered with Nandurbar City Police Station, Nandurbar, for the offence punishable under Section 307, 452, 323, 324, 141, 143, 147, 148, 149, 336, 337, 504 and 506 of the IPC.

3] This Court, by order dated 05.02.2025, has granted interim protection in favour of applicant no.2 for the reasons stated in para no.4, as noted below :

4. The learned Counsel for applicant No.2 submits that there is a change in circumstances as the charge sheet has been filed in the matter. Although the charge sheet has not been filed against the present applicant, he is still shown as an absconding accused. She submits that considering the evidence brought on record in the charge sheet, the presence of the applicant is not necessary. The learned APP points out that the injury sustained by the injured witness is simple in nature. Considering the same, applicant No.2 is granted interim protection.

4] The learned counsel for the applicants submits that in terms of order dated 05.02.2025, the applicant no.2 has attended the concerned police station and has co-operated with the investigation.

5] Considering the same, the interim protection granted by order dated 05.02.2025 stands confirmed as regards applicant no.2, in the following terms :

i] The applicant no.2 shall attend the concerned police station as and when required by the investigating officer.

ii] The applicant no. 2 shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicant no. 2 shall co-operate with the investigation and also in the proceedings before the trial Court.

6] In the event, the applicant violates 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.

9] As regards applicant no.1, the application is already dismissed as withdrawn by order dated 05.02.2025.

[ARUN R. PEDNEKER]
JUDGE

DDC