



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

943 ANTICIPATORY BAIL APPLN. NO. 239 OF 2025

1] SHIVAJI BHARAT GADADE
2] PRAKASH KESHAVRAO GADADE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicants : Mr.A.T.Jadhavar

APP for Respondent-State : Mr.S.K.Shirse

...

**WITH
ANTICIPATORY BAIL APPLICATION NO. 171 OF 2025**

JEEVAN ANILRAO DESHMUKH

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

...

Advocate for Applicants : Mr.B.N.Magar [V.C.]

APP for Respondent-State : Mr.S.K.Shirse

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 04.03.2025

P.C. :

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

2] The applicants are apprehending arrest in connection with Crime No. 10/2025, registered with Sengaon Police Station, District Hingoli, for the offence punishable under Sections 352, 303 (2), 190, 189 (2), 132,

121 (1), 109 of the Bharatiya Nyaya Sanhita, 2023 and Section 48 (8) and 48 (7) of the Maharashtra Land Revenue Code.

3] This Court, by order dated 31.01.2025, has granted interim protection in favour of the applicant in Anticipatory Bail Application No.171 of 2025 for the submissions and reasons stated in para nos. 3, 4, 5, and 6, as noted below :

3] It is the case against the applicant that while the informant, along with other members of the squad, were on duty in Brahmwadi Shivar, two unnumbered tippers were found carrying sand illegally without a permit or license for sale. At that time, seven persons arrived at the spot, restrained the informant and other members, and assaulted them.

4] The learned counsel for applicant submits that the applicant was merely travelling in the car and was not involved in any altercation. No overt act is attributed to the applicant. The applicant is also scheduled to marry soon. It is further submitted that the incident is over-exaggerated.

5] The learned APP opposed the application, submitting that the applicant and the co-accused are involved in the alleged offence, which is of a serious nature. It is also stated that the tippers and cars used in the commission of the crime are yet to be seized.

6] Considering that there is no overt act attributed to the applicant and the altercation is between the other occupants of car with the officials, I deem it appropriate to grant interim relief.

4] The applicants in Anticipatory Bail Application No.239 of 2025 has granted interim protection by order dated 20.02.2025 considering the order dated 31.01.2025 passed in ABA No.171/2025 as the role of the applicants in ABA No.239/2025 is identical to the role of the applicant in ABA No.171/2025.

5] The learned counsel for the applicants submits that in terms of interim orders, the applicants have attended the concerned police station and have co-operated with the investigation.

6] Considering the same, the interim orders dated 31.01.2025 and 20.02.2025 stand confirmed in the following terms :

i] The applicants shall attend the concerned police station as and when required by the investigating officer.

ii] The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicants shall co-operate with the

investigation and also in the proceedings before the trial Court.

7] In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

8] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail applications and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9] The applications stand disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC