



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

933 ANTICIPATORY BAIL APPLN. NO. 208 OF 2025

1] VISHWAJEET RANDHIR RAJPUT
2] SANJAYSINGH GULABSINGH RAJPUT

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicants : Mr.N.S.Ghanekar
APP for Respondent-State : Mr.G.O.Wattamwar
Advocate for Assist to P.P. : Mr.A.N.Barhate Patil

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**WITH
CRIMINAL APPLICATION NO. 549 OF 2025
IN ABA/208/2025**

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 02.04.2025

P.C. :

1] Heard. For the reasons stated in the Criminal Application No. 549/2025 for assisting to the P.P., the same is allowed. Criminal Application is disposed of accordingly.

2] Heard learned counsel for the applicant, the learned APP for the respondent-State and learned counsel for assisting to P.P.

3] The applicants are apprehending arrest in connection with Crime No. 0004 of 2025, registered with Vaijapur Police Station, Dist. Aurangabad, for the offence

punishable under Section 109, 126 (2), 324 (4), 189 (2), 191 (2), 191 (3), 190 of Bharatiya Nyaya Sanhita, 2023.

4] This Court, by order dated 27.02.2025, has granted interim protection in favour of the applicants for the submissions and reasons stated in para nos. 3 to 6, as noted below :

3] It is alleged in the FIR that the marriage of applicant no. 1 and daughter of the brother of informant was arranged and due to some reason, it was cancelled. It is further alleged that on 03.01.2025, the wife of informant told the informant that Sanjivani Rajput from Vaijapur had kept offensive status on her what's app against the daughter of brother of informant. Thereafter, the informant along with brothers and wife went to Vaijapur and asked the applicants about it. There was altercation between them. It is further alleged that at about 7.00 p.m. when the informant along with his family were returning back, the applicants along with other came in front of car of informant and damaged his car. On the basis of the said allegations, the FIR is registered against the applicants. Thereafter on 04.01.2025 the supplementary statement of the informant was recorded and in the said statement, it is stated that the informant heard the sound of gun fire at the time of incident and on the spot of incident, the police found one empty bullet shell.

4] The learned counsel for the applicants submits that there is prior dispute between the parties, and therefore, there is improvement in the supplementary statement recorded on 04.01.2025. Both the parties have filed NC against each other.

5] Per contra, the learned APP submits that

the applicant has used the gun and that gun shell is found on the spot.

6] In the FIR, it is stated that the applicant has damaged the car of the informant and in the supplementary statement recorded on 04.01.2025 it is stated that the informant heard the sound of gun fire at the time of incident. There is no mention of gun fire in the FIR. Considering the said fact, the usage of gun appears doubtful.

5] The learned counsel for the applicants submits that in terms of the aforesaid order, the applicants have co-operated with the investigation.

6] The learned counsel for assist to P.P. submits that the presence of the applicants in the vicinity of the informant where the informant is residing may create further complication in the matter and the applicants may contact with the witnesses and may give threats to the informant.

7] In response, the learned counsel for the applicants submits that the applicants would not enter the village Talwani Sirsagaon, Taluka Kopargaon, District Ahmednagar till conclusion of the trial.

8] Considering this aspect of the matter and there is no material brought on record adverse to the applicants beyond the facts mentioned in order dated 27.02.2025, the interim protection granted by order dated 27.02.2025 stands 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.

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

10] 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.

11] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE