



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

937 ANTICIPATORY BAIL APPLICATION NO. 231 OF 2024

Bhausahab Raghunath Sul

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. Desale Nilesh N.

APP for Respondents-State: Mr. N. B. Patil

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CORAM : ARUN R. PEDNEKER, J.

Dated : February 04, 2025.

PER COURT :-

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is apprehending arrest in connection with FIR No.385/2023, dated 04/11/2023, registered at Sakri Police Station, District Dhule, for the offences punishable under sections 353, 379, 363, 332, 504, 506, 34 of the Indian Penal Code.
3. This Court, by order dated 13/02/2024, granted interim protection to the applicant. The allegation against the applicant is that he is the owner of the tractor in which illegal transportation of sand was being carried out and was intercepted by the concerned officer. At that time, the applicant allegedly instructed the driver to flee. The applicant took the tractor forcibly, and when the informant was in the tractor, the applicant drove it into the jungle for two to three kilometers. While sand was being unloaded, the informant somehow managed to flee.
4. The learned Counsel for the applicant submits that after the interim

protection was granted, the applicant has cooperated with the investigation. He further submits that the tractor has already been taken into possession by the concerned authorities. He asserts that the incident, as alleged, did not take place, and the FIR has been registered. The learned counsel submits that further custodial interrogation of the applicant is not necessary, as nothing remains to be recovered from his possession.

5. The learned APP submits that the interim protection granted to the applicant should be vacated.

6. Considering the submissions, and since the tractor has already been recovered, there is no further recovery remaining. This Court granted interim protection on 13/02/2024, and the investigation is at its final stage. No further interrogation of the applicant would be necessary. Considering the same, the interim protection granted by order dated 13/02/2024 stands confirmed.

7. In view of the above, the application is allowed in the following terms : -

i] In the event the applicant is arrested in connection with FIR No.385/2023, dated 04/11/2023, registered at Sakri Police Station, District Dhule, for the offences punishable under sections 353, 379, 363, 332, 504, 506, 34 of the Indian Penal Code, he shall be

released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant shall attend the police station as and when called by the police.

iii] The applicant 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 shall co-operate with the investigation and also in the proceedings before the trial Court.

8. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

9. 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.

10. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.