



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 ANTICIPATORY BAIL APPLICATION NO. 246 OF 2025

1. ROHAN SANJAY CHAVHAN
2. SANTOSH JIJABA SHIRSATH
3. ABHISHEK RAMDAS KONGE

VERSUS

THE STATE OF MAHARASHTRA

...

WITH

...

CRIMINAL APPLICATION NO.701 OF 2025

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Advocate for Applicant : Mr. Nangare Prashant R.

APP for Respondent/State: Mr. N. D. Raje

Advocate for Assist to PP: Mr. S. R. Andhale

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CORAM : ARUN R. PEDNEKER, J.

DATE : 21.02.2025

P.C. :

1] Heard learned counsel for the applicants, the learned APP for the respondent-State and the learned counsel for the assist to public prosecutor.

2] The application for assist to public prosecutor is taken on record. Leave to delete respondent no.2 in the application for assist to public prosecutor. The application for assist to public prosecutor is allowed.

3] The applicants have approached this Court apprehending arrest in connection with Crime No.0016/2025, registered with Pathdari Police Station, Taluka Pathardi, District Ahmednagar, for the offences punishable under Sections 109, 115(2), 118(1), 189(2), 190, 191(2), 191(3), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023.

4] The learned counsel for the applicants, on instructions, seeks leave to withdraw the application for applicant no.1 - ROHAN SANJAY CHAVHAN.

The application is dismissed as withdrawn qua applicant no.1 - ROHAN SANJAY CHAVHAN.

5] As regards applicants no.2 and 3 are concerned they are accused nos.4 and 5 in the FIR. The allegations in the FIR is that 10 accused have assaulted the informant. Accused No.1 by means of the pistol handle and the chopper and the accused no.2 by chopper and accused no.3 by small sword and as regards accused nos.4 and 5 i.e. applicant nos.2 and 3, it is stated that they have assaulted the informant by use of stick.

6] The learned APP has produced the injury certificate of the informant on which one grievous injury on the vital part i.e. head which is primarily attributed to accused no.1. In addition, there are 3 simple injury. In all

the allegation is against 10 persons having assaulted the informant.

7] Considering the nature of allegations, against large number of persons and also considering the fact that there has been another FIR registered by the present applicants against the informant which depicts prior rivalry.

8] Considering these aspects of the matter, the custodial interrogation of the accused nos.4 and 5 i.e. applicants no.2 and 3 may not be required. Thus, applicants no.2 and 3 can be granted interim protection.

9] In the meanwhile, there shall be interim order qua Applicants No.2 and 3 in the following terms :-

A] Till the next date, in the event Applicants No.2 and 3 are arrested in connection with Crime No.0016/2025, registered with Pathdari Police Station, Taluka Pathardi, District Ahmednagar, for the offences punishable under Sections 109, 115(2), 118(1), 189(2), 190, 191(2), 191(3), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023, they shall be released on bail on furnishing PR bond of Rs.15,000/- each with one or two sureties in the like amount.

B] Applicants No.2 and 3 shall remain present before the investigating officer on 25.02.2025 and 26.02.2025, between 10:30 a.m. to 01:30 p.m.

C] Applicants No.2 and 3 shall co-operate with the investigation, including producing all documents in his possession, as may be demanded by the investigating officer.

D] Applicants No.2 and 3 shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.

10] Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

11] List on 04.03.2025.

[ARUN R. PEDNEKER]
JUDGE

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