



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

946 ANTICIPATORY BAIL APPLICATION NO. 323 OF 2024

1. SANJAY ASHOK ANBHULE
2. SACHIN KASHINATH ANBHULE
3. BHAUSAHEB BABAN ANBHULE
4. ANIL BABAN ANBHULE
5. DADASAHEB SIDHESHWAR ANBHULE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Rahul R. Karpe

APP for Respondent/State: Mr. B. B. Bhise

Advocate for Assist to PP :

Mr. R. G. Narwade h/f. Mr. S. E. Shekade

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CORAM : ARUN R. PEDNEKER, J.

DATE : 06.02.2025

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.0368/2023, dated 08.12.2023, registered at Mirajgaon Police Station, District Ahmednagar, for the offences punishable under Sections 324, 323, 504, 506, 143, 147, 148, 149, 326 of the IPC.

3] This court by order dated 05.03.2024 granted interim protection to the applicants.

4] The genesis of the offence is from the incident

dated 25.11.2023 and the FIR is registered by the informant on 08.12.2023 and for the same incident the cross-FIR is also registered by the present applicants against the informant for similar offence and that the informant is protected by the anticipatory bail order.

5] In the instant case, the learned counsel for the applicants submits that after passing of the interim order the applicants have attended the concerned police station and cooperated with the investigation.

6] The learned APP submits that one of the victim has sustained grievous injuries and another multiple injuries though simple in nature. As such, submits that the interim order granted may be vacated.

Similar submissions are made by the learned counsel appearing for the original complainant.

7] Considering that this is a fight between two groups and one group is protected, so also, after passing of the interim order in this matter the applicants have attended the concerned police station and cooperated with the investigation, so also, considering the fact that one of the victim has sustained grievous injuries, which are not on the vital part and, at this moment, it is difficult to ascertain, who is the aggressor party and responsible for the assault, the interim order granted earlier deserves to be confirmed.

8] In view of the above, the interim protection granted by order dated 05.03.2024 stands confirmed, on the following terms:

i] The applicants shall attend the 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