



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 336 OF 2025

GANGADHAR DEVAJI KONDE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Vaibhav N. Shinde h/f. Mr. Girish K. Naik Thigle, Advocate for
Applicant

Mr. A. A. A. Khan, APP for Respondents

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 10.03.2025

PC.:-

1] Heard learned counsel for the Applicant and the learned
APP for the Respondents-State.

2] The Applicant has approached this Court apprehending
arrest in connection with FIR No.0493/2024 dated 07.12.2024
registered with Vimantal Police Station, District Nanded, for the
offences punishable under sections 109, 118(1), 115, 352, 351(2),
351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3] This Court by order dated 27.02.2025 granted interim
protection to the Applicant, by considering submissions and reasons
noted at paragraph Nos.3, 4, 5 and 6 as under:-

*“3] The case as per the FIR against the Applicant is that one
unknown person covering scarf on his face came with knife
running towards the informant and, thereafter, another person Mr.
Amrut also came with knife running towards the informant.
Thereafter, the Applicant and others have also came to the place,
where the informant was working. It is stated that the accused has
assaulted the informant by knife and as regards the present
Applicant is concerned he has assaulted the informant with fist*

and kicks.

4] The learned counsel for the Applicant submits that there is some dispute between the parties as regards the ownership of the property. He submits that the considering the role of the Applicant as alleged in the FIR, his custodial interrogation would not be necessary. It is the case of over exaggeration, considering that there is dispute on the property.

5] The learned APP submits that there is an antecedent against the Applicant for tracepass and that the Applicant has assaulted the informant.

6] Prima facie considering the role of the Applicant and that there is nothing to be recovered from him, the Applicant would be granted interim protection.”

4] Considering the role of the Applicant and considering the interim order passed by this Court on 27.02.2025, the interim protection granted in favour of the Applicant can be confirmed.

5] In view of the above, the application is allowed and interim protection granted by this Court on 27.02.2025 is confirmed on the following terms :

- i] The Applicant shall attend the police station as and when required.
- ii] 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.
- iii] The Applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

6] In the event, the Applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

7] 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.

8] The application stands disposed of.

(ARUN R. PEDNEKER)
JUDGE