



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

949 ANTICIPATORY BAIL APPLN NO.353 OF 2025

1] SALIM BEG ALIM BEG
2] YUNUS BEG ALIM BEG

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicants : Adv.Al. Amoodi A. h/f.

Mr.G.R.Syed

APP for Respondent-State : Mr.S.P.Sonpawale

Advocate for Assist to P.P. : Adv.Ziya Jakeriya Pathan

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CORAM : ARUN R. PEDNEKER, J.

DATE : 03.04.2025

P.C. :

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

2] The applicants are apprehending arrest in connection with Crime No.42/2025, registered with Jintur Police Station, Dist. Parbhani, for the offence punishable under Sections 117 (2), 296, 352, 351 (5), 3 (5), 119 (1) of BNS [Section 325, 294, 504, 506, 327 and 34 of IPC].

3] This Court, by order dated 18.03.2025, has granted interim protection in favour of the applicants for the submissions and reasons stated in para nos.4 to 7, as noted below :

4. The case against the applicants as stated in the FIR is that informant is running fair price ration shop. On 19.1.2025 present applicants and other accused entered in to the shop of the informant and demanded that foodgrains be given to them immediately. It is stated in the FIR that after such commotion, the applicants and other accused have assaulted the informant. So also in scuffle, gold ring of 3 grams and amount of Rs.2500/- was forcefully taken from the complainant. Thereafter, the informant was referred to the Civil Hospital, Jintur and after discharge, the informant has filed the FIR against the applicants and other accused.

5. The learned counsel for the applicants submits that altercation has taken place for non supply of foodgrains and on earlier 2-3 occasions. The learned counsel submits that there is no prior enmity between the applicants and the informant and the altercation has happened in a spur of movement and both the parties sustained injuries. The learned counsel for the applicants submits that thereafter the matter was settled, but after some days, the FIR came to be lodged against the applicants and other accused and as such, cross FIR is also registered by the applicants against the informant.

6. Today, the learned APP has produced the copy of injury certificate showing the there is simple injuries on the person of the complainant and the same is without X-ray report. The doctor has opined that the injuries are simple. The learned APP submits that if this Court is considering grant of protection in favour of the applicants, the applicants may be directed to remain present before the I.O.

7. Considering that the injuries are simple in nature, the incident has happened in a spur of movement and that there is altercation on account of foodgrains, at this stage, I deem it appropriate to grant interim protection to the applicants.

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

5] No further adverse material is brought against the applicants. Considering the same, the interim protection granted by order dated 18.03.2025 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.

6] In the event, the applicants violate 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

DDC