



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

923 ANTICIPATORY BAIL APPLN. NO.380 OF 2025

SUMIT SUBHASH RUPEKAR

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr.A.B.Pakhe

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

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 26.03.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is apprehending arrest in connection with Crime No.1173/2024, registered with MIDC Waluj Police Station, Taluka and District Aurangabad, for the offence punishable under Sections 109 (1), 115 (2), 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

3] This Court, by order dated 17.03.2025, has granted interim protection in favour of the applicant for the submissions and reasons stated in para nos. 3 to 6, as noted below :

3] The allegation against the applicant is that the applicant along with 2-3 persons have assaulted the informant and caused

injuries. The applicant assaulted the informant with knife.

4] The learned counsel for the applicant submits that the FIR is lodged by the father of the informant and the names of co-accused, namely, Sahil Amir Shaha and Sagar Kedare are mentioned in the FIR. He further submits that after four days the injured – victim has taken the name of the present applicant, therefore, there is some improvement in the FIR. He further submits that the medical injury does not correspond with the version of the victim.

5] The learned APP produced injury certificate and three injuries are mentioned in the medical certificate of which two are grievous in nature. He further submits that the applicant along with co-accused assaulted the informant with knife and the informant has caused grievous injuries.

6] Perused the medical papers. The medical report is given by B.H.M.S. Doctor and it is stated in the said report that three injuries of which two are grievous injuries, one is on abdomen right side and two injuries are on buttocks and chest back as CLW. The two CLW injuries are mentioned as grievous in nature. The CLW injuries are not caused by the informant. Considering the nature of injuries, the same does not correspond to the version of the victim, which is taken after four days and the eye witnesses, so also, the main accused in the FIR is stated to be arrested...

4] The learned counsel for the applicant submits that the applicant has, thereafter, co-operated with the investigation.

5] Considering that the investigation is nearly complete in the matter and further custodial interrogation of the applicant is not necessary, the interim protection granted by order dated 17.03.2025 stands confirmed, in the following terms :

i] The applicant shall attend the concerned police station as and when required by the investigating officer.

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

DDC