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

44 ANTICIPATORY BAIL APPLICATION NO. 493 OF 2025

Sunny Chandrakant Shirsath

VERSUS

The State Of Maharashtra

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Mr T. S. Kotkar, Advocate h/f Mr S. D. Kotkar, Advocate for
Applicant.

Mr A. M. Phule, APP for respondent/State.

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CORAM : ADVAIT M. SETHNA, J.

DATE : 21 JULY 2025

P. C. :

1. Heard learned Advocate holding for Mr Kotkar, learned
Advocate for applicant and the learned APP Mr Phule.

2. At the outset, learned Advocate for the Applicant would
draw attention to the Order of this Court dated 04/04/2025. The said
order records the details of the FIR as well as the incident and the
Sections under which the offences are alleged in the FIR. Pursuant to
the said order, Mr Phule, learned APP, on instructions would submit
that the applicant has cooperated with the investigation. He has
complied with the terms and conditions stated in the order dated
04/04/2025. There is no breach of any conditions. The Applicant has

(2)

thus joined the investigation. As far as prima facie case is concerned, there is nothing adverse against the applicant pursuant to the said order, which is placed on record.

3. Mr Phule would submit that in the given facts and circumstances, the custodial interrogation is warranted. Mr Phule, at this juncture, would submit that there is recovery of Rs.15,000/- to be done from the applicant. However, this is not a recovery proceedings.

4. In my view, in the given factual complexion, considering that a prima facie case is made out by the applicant in the order dated 04/04/2025 and subsequently, the conditions in the order being complied with, there is no necessity for custodial interrogation of the Applicant in the peculiar facts and circumstances. Interim order of this Court dated 04/04/2025, is hereby confirmed.

5. For the reasons noted above, I am inclined to allow this bail application. Hence, the following order :-

(i) In the event of arrest of the applicant Sunny Chandrakant Shirsath in connection with C.R. No. 451/2024, registered with Sonai Police Station, Taluka Newasa, Dist. Ahmednagar, for the offences punishable under Sections 115(2), 119(1), 351(2), 351(3), 352 of the Bharatiya Nyaya Sanhita, the applicant is directed to be released on bail on furnishing PR bond in the sum of Rs.

(3)

20,000 (Rupees Twenty Thousand Only) with one solvent surety in the like amount.

(ii) The applicants shall attend the concerned Police Station as and when required/called for until filing of charge-sheet. He is further directed to co-operate the investigation.

(iii) The applicant shall furnish details of residential address and other contact details such as the mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately informed to the concerned police station.

(iv) The applicant shall not leave the jurisdiction of the Court without prior permission of the Court, until further orders.

(v) He shall not contact and/or influence the witness/es and/or tamper with the evidence in any manner whatsoever.

ABA is Allowed in above terms.

[ADVAIT M. SETHNA, J.]

sjk