



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

51 ANTICIPATORY BAIL APPLICATION NO. 552 OF 2024

AMOL UTTAM WAGHMARE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant :

Mr. Nitin Keshavrao Chaudhari (*through VC*)

APP for Respondent/State: Mr. G. O. Wattamwar

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CORAM : ARUN R. PEDNEKER, J.

DATE : 03.02.2025

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.1100/2023, registered at Newasa Police Station, District Ahmednagar, for the offences punishable under Sections 354, 327, 324, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code, 1860 & Sections 3 and 25 of the Arms Act, 1959.

3] This court by order dated 16.04.2024 granted interim protection to the applicant. In pursuance of the interim order, the applicant has attended the concerned police station. This fact is not disputed by the learned APP.

4] The case against the applicant and others 30 to 40 persons is that when they were installing the iron wire fencing there is some altercation between the applicant and the informant and, thereafter, the alleged incident has taken place. The case against the applicant is that the applicant has snatched one *mangalsutra* and one *ranihar* from the neck of the informant amounting to Rs.1,25,000/-.

The learned counsel for the applicant submits that this is a over exaggeration of the facts. The learned counsel submits that on the day of assault the applicant had called the police on 22.11.2023. The API has visited the agricultural field in pursuance of the call made. However, there was no such information lodged by the informant or intimation given by the informant to the API as regards the theft. The learned counsel submits that this is only an after thought just to invoke non-bailable criminal provisions. In that view of the matter, the interim protection granted earlier to the applicant deserves to be confirmed.

5] In view of the above, the interim protection granted by order dated 16.04.2024 stands confirmed, on the following terms:

- i] The applicant shall attend the 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

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