



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

ANTICIPATORY BAIL APPLICATION NO. 624 OF 2025

PRASHANT PRALHADSING RAJPUT

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Shri D.R. Shelke, Advocate for the Applicant.

Shri A.V. Lavte, APP for the Respondents/State.

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CORAM : ADVAIT M. SETHNA, J.

DATE : 01 August 2025

P. C. :-

1. Heard the learned Advocates for the parties.
2. At the outset, the learned Advocate for the Applicant has brought to the attention of the Court, the order dated 24 April 2025 by which, the Applicant has been protected. The terms and conditions of such protection are set out in paragraph No.4 of the said order. Pursuant thereto, it appears that the Applicant has cooperated in the investigation. It also appears that there is no intentional or deliberate breach of the terms and conditions of the interim protection dated 24 April 2025. After hearing the learned Advocates for the parties, it can be inferred that the Applicant has joined the investigation.

3. However, the learned APP would submit that there have been occasions, more particularly recently when the Applicant has not attended the Police Station despite specific notice in that regard. The learned Advocate for the Applicant would have contrary submission to state that just a day before i.e. on 30 July 2025, the Applicant has duly attended the Police Station.

4. Be that as it may, the Applicant must comply with the terms and conditions set out in the order dated 24 April 2025 in letter and spirit. The learned Advocate for the Applicant fully agrees and assures the Court that the same would be done. The apprehension expressed by the prosecution can be taken care of by imposing adequate conditions in this order below.

5. The learned APP would make an additional submission that accused No.1 has a major role in the assault and as far as the injury to the Informant is concerned. It is submitted that although the Applicant may not have directly assaulted the Informant, his alleged role tantamounts to such an act of abatement so as to attract the provisions of Section 109 of the Bharatiya Nyaya Sanhita (BNS).

6. Needless to mention that these issues shall be dealt with and addressed at an appropriate stage during the trial, without being influenced by the observations/ findings in this order, which are *prima facie* in nature.

7. At this stage, it appears that the prosecution has placed nothing on record against the Applicant after the order dated 24 April 2025, which was passed after issuance of Notice to the State. In such view of the matter, the interim order of protection deserves to be confirmed. The following order, in my view, would meet the ends of justice:-

ORDER

(i) In the event of arrest of the Applicant in connection with C.R. No. 0128/2025 registered with Vaijapur Police Station, Dist. Aurangabad Gramin for the offences punishable under Sections 109, 118(1), 352, 351(1), 351(2) and 3(5) of the Bhartiya Nyay Sanhita, 2023, the Applicant is directed to be released on bail on furnishing PR bond in the sum of Rs. 20,000 (Rupees Twenty Thousand Only) with one solvent surety in the like amount.

(ii) Initially the Applicant shall attend the concerned Police Station on 02 August 2025 (Saturday), 04 August 2025 (Monday), 06 August 2025 (Wednesday), 08 August 2025 (Friday) at

11:30 am and thereafter, as and when required by the Investigating Officer till the filing of the charge sheet. He is further directed to co-operate in 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 subject to further orders / until filing of the charge-sheet.

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

8. **The Anticipatory Bail Application is allowed in the above terms.** However, it is made clear that the observations made in this order are *prima facie* in nature for the purpose of adjudication of this application.