



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

950 ANTICIPATORY BAIL APPLICATION NO. 830 OF 2024

NITIN VASANT SAKAT AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Shekade Shashikant E.
APP for Respondents 1 & 2 : Mr. S.K. Shirse
...

WITH
ANTICIPATORY BAIL APPLICATION NO. 829 OF 2024

VASANT NANASAHEB SAKAT
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Shekade Shashikant E.
APP for Respondents 1 & 2 : Mr. S.K. Shirse
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 12/03/2025

PER COURT :

1. Heard the learned counsel for the applicants in both applications and the learned APP for the respondents-State.
2. The applicants are apprehending arrest in connection with Crime No. 444/2024 dated 21.4.2024 registered with Shrigonda Police Station, Dist. Ahmednagar for the offences punishable under sections 307, 323, 504, 506 r/w. 34 of I.P.C.
3. This Court by order dated 28.5.2024 has granted interim protection to the applicant by noting the submissions and recording the reasons at para 2 to 5, as under :-

"2. Applicants and informant Karan @ Nihal Navnath Diwate are the relatives and the residents of Diwate Vasti, Pedgaon. It is alleged by the informant that on 18.04.2024 there was confrontation between informant and

applicant/Vasant which triggered into forcible administration of poison to the informant by pinning him down by the applicants. Applicant/Nitin is alleged to have assaulted informant on head. Informant was hospitalised and on 19.04.2024 he gained consciousness.

3. Learned counsel for the applicants submit that allegations are not serious in nature and there are no bodily injuries. There is a long standing enmity between parties. He would point out that informant is a historysheeter and involved in couple of serious offences. Informant's wife Priyanka was also administered poison by informant. The grudge against the applicants is that Priyanka was being instigated to lodge complaint against informant.

4. I have gone through the complaint dated 24.06.2023 lodged by Rajesh Shantaram Kalokhe for incident occurred against Priyanka and the proceedings indicating involvement of the informant. Though FIR spells out presence of the applicants at the spot of incident, prima facie, false implication cannot be ruled out.

5. Considering the track history of the informant, applicants deserves interim protection. I, therefore, pass following order :"

4. The learned counsel for the applicants submits that after registration of the F.I.R. informant is now arrested for the offence under section 302 of I.P.C., for committing murder of his wife. The learned counsel submits that after grant of interim protection, the applicant has cooperated with the investigation. The learned counsel submits that the allegations narrated in the F.I.R. are false.

5. This Court has already noticed while granting interim relief that the allegations made in the F.I.R. would possibly false. Today, the learned APP produced injury certificate which shows that there are no injuries found on

the person of the informant.

6. Considering the submissions, perusing injury certificate and considering that it is mentioned in the F.I.R. that applicant administered the poison to the informant forcibly and thereafter injuries are caused to the informant, and still there are no injuries on the person of the informant, I hold that prima facie case is made out of grant of anticipatory bail to the applicants.

7. In view of the above, the applications are allowed and the interim protection granted on 28.5.2024 is confirmed on the following terms :

i] The applicants shall attend the police station as and when required.

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 in the proceedings before the trial Court.

8. In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

9. 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 applications stand disposed of.

[ARUN R. PEDNEKER, J.]

SSC/