



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 ANTICIPATORY BAIL APPLICATION NO. 909 OF 2025

AKASH BAPU MOTE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr.N.B.Narwade, Advocate for the Applicants.
Mr.A.M.Phule, APP for the Respondent/State.

(CORAM : ADVAIT M. SETHNA, J.)

DATE : 25 JULY 2025

P. C. :

1. Heard learned Advocates for the parties.
2. At the very outset, the attention of the Court is drawn to the interim order dated 28 May 2025, by which the Applicants have been protected subject to certain terms and conditions which are imposed in Paragraph No.4 of the order. Pursuant to passing of the said order, the learned APP, has taken instructions. He would, on instructions, submits that the Applicants have attended the concerned Police Station as directed in the said order. This would mean that they have cooperated with the investigation and also that they have joined the investigation. In this regard, it is pertinent to note that the Applicants have placed on record an affidavit dated 14 July 2025 which was filed pursuant to the orders of this Court where the aspect of

attending the Police Station has been set out in detail with the relevant dates. As far as *prima facie* case is concerned, there is nothing adverse placed on record against the Applicants after the order dated 28 May 2025. The learned APP has also drawn my attention to the investigation papers, case diary, injury certificates, where the nature of injuries recorded/noted as simple injuries. The learned APP would submit that, in such kind of a case, custodial interrogation would be necessary. However, considering the above facts and circumstances as also the nature of injuries to be certified as simple in nature by the District Hospital, Ahmednagar (Government Hospital), and considering the fact that the Applicants have complied with the terms and conditions of the interim order dated 28 May 2025, custodial interrogation in such factual matrix is no longer necessary.

3. The Applicants have no criminal antecedents. The learned APP has also submitted that there is no recovery, however, as they have joined the investigation and there is no submission made with regard to any attempts of these applicants to flee from justice and / or tamper with the evidence, influence the witnesses, such apprehension of the prosecution can be taken care of by the terms and conditions set out in this order below.

4. In such view of the matter, the interim order dated 28 May

2025 needs to be confirmed by passing the following order :-

ORDER

(i) In the event of arrest of the applicants in connection with Crime No. 0130/2025, registered with Sonai Police Station, Tq. Newasa, Dist. Ahmednagar, for the offences punishable under Sections 118(1), 119(1), 191(2), 191(3), 351(2), 351(3), 352 of B.N.S. 2023, the applicants are directed to be released on bail on furnishing PR bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand Only) each with one solvent surety in the like amount.

(ii) The applicants shall attend the concerned Police Station as and when requires until filing of the charge sheet.

(iii) The applicants 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 applicants shall not leave the jurisdiction of the Court without prior permission of the Court, until filing of the charge sheet in these proceedings.

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

5. Needless to mention that the observations made above are *prima facie* for the purposes of adjudication of this Anticipatory Bail Application.
6. The Anticipatory Bail Application is allowed in the above terms.

(ADVAIT M. SETHNA, J.)