



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

50 ANTICIPATORY BAIL APPLICATION NO. 1212 OF 2024

1. Govind s/o Dattatray Tembhurne,
2. Bhimrao s/o Venkatrao Gunde.

VERSUS

1. The State Of Maharashtra,
2. The Superintendent of Police, Nanded.

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Advocate for Applicant : Mr. Pathan Hamzakhan I.
APP for Respondents-State: Mr. N. D. Raje

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CORAM : ARUN R. PEDNEKER, J.

Dated : February 24, 2025.

PER COURT :-

1. Heard learned counsel for the applicants and the learned APP for the respondent-State.
2. The applicants are apprehending arrest in connection with FIR No.184/2024, dated 13/06/2024, registered at Kandhar Police Station, District Nanded, for the offences punishable under sections 341, 353, 332, 323, 504, 506 read with 34 of the Indian Penal Code.
3. This Court, by order dated 19/07/2024, granted interim protection to the applicants and directed them to attend the police station.
4. The case against the applicants is that they intercepted an MSRTC bus and assaulted the bus driver with a pipe, leading to the registration of an FIR against them.

5. The learned APP submitted that the applicants have not cooperated with the investigation and that the motorcycle used for the interception of the bus is yet to be seized. She further submits that in the photographs, a vehicle belonging to the applicants is seen in front of the MSRTC bus, and the said motorcycle has not yet been seized.

6. *Per contra*, the learned Counsel for the applicants submits that the MSRTC driver had no reason to know the names of the applicants. This is a politically motivated matter, and the applicants' names have been falsely involved. The motorcycle seen in the photographs does not belong to the applicants, the vehicle number is clearly visible, and the prosecution has not traced the ownership of the vehicle.

7. Considering that this Court granted interim protection to the applicants on 19/07/2024, that the applicants are not the owners of the motorcycle, and that the prosecution has not verified the ownership of the vehicle, the interim protection granted to the applicants is confirmed.

8. In view of the above, the application is allowed in the following terms : -

i] In the event the applicants are arrested in connection with FIR No.184/2024, dated 13/06/2024, registered at Kandhar Police

Station, District Nanded, for the offences punishable under sections 341, 353, 332, 323, 504, 506 read with 34 of the Indian Penal Code, they shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicants shall attend the police station as and when called by the police.

iii] 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.

iv] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

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

10. 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.

11. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.