



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

957 ANTICIPATORY BAIL APPLICATION NO. 1257 OF 2024

BALKISHAN RANBA GADADE AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Solanke Shrikrashna B.

APP for Respondents 1 & 2 : Mr. A.A.A. Khan

Advocate for assisting APP : Mrs. Ashwini A. Lomte

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 06.02.2025

PER COURT :

1. Heard the learned counsel for the applicant, the learned APP for the respondents-State and Mrs. Ashwini A. Lomte, the learned advocate assisting APP.
2. The applicants are apprehending arrest in connection with Crime No. 181/2024 dated 16.6.2024 registered with Ambajogai (Rural) Police Station, District Beed for the offences punishable under sections 307, 324, 323, 504, 506, 143, 147, 148, 149 of I.P.C.
3. This Court by order dated 22.7.2024 has granted interim protection to the applicants. The allegations against the applicants is that the applicants have entered in the field of the informant and has assaulted the informant and his family members of the informant in which one person sustained grievous injury and other sustained simple injury.
4. The learned counsel for the applicant submits that prior to the present F.I.R., the applicants have filed F.I.R. against the complainant's

side and the present F.I.R. is registered after four days of the incident. The learned counsel submits that there are civil disputes pending between the parties and civil court has granted injunction in favour of the applicants. The learned counsel also submits that the alleged incident has taken place in the field of the applicants in which parties have sustained the injuries.

5. Per contra, the learned APP and Mrs. Ashwini Lomte, learned advocate assisting APP submit that there is clear evidence as regards the place of incident and during the incident, the applicants have assaulted the lady family members of of the informant by means of wooden log and fist and blows and the incident happened in the field of the informant.

6. Considered the rival submission and police papers. This Court has granted interim protection to the applicants by order dated 22.7.2024 and in pursuance of the interim order the applicants have attended the concerned police station and cooperated with the investigation.

7. Considering the facts situation that there is civil dispute pending between the parties and there is injunction order in favour of the applicants, which is not disputed by the learned counsel appearing for informant and it is not certain where the alleged incident has taken place i.e. in the field of the applicants or in the field of the informant, prima facie, I hold that custodial interrogation of the applicants is not necessary.

8. In view of the above, the application is allowed and the interim protection granted on 22.7.2024 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. He shall not influence the informant, witnesses and other persons concerned with the case.

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

9. In the event, the applicants violate 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.]**

SSC/