



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

ANTICIPATORY BAIL APPLICATION NO. 827 OF 2025

Sopan Ramnath Kasar

VERSUS

The State Of Maharashtra And Another

WITH CRIMINAL APPLICATION NO. 2508 OF 2025

Mandakini Sadashiv Late (mandakini Rajaram Auti)

VERSUS

Sopan Ramnath Kasar And Others

Mr. K. N. Shermale, Advocate for Applicant

Mr. C. V. Bhadane, APP for State

CORAM : ADVAIT M. SETHNA, J.

DATE : 10 JULY 2025

P. C. :-

1. Heard learned counsel for the parties.
2. My attention is invited to the order dated 13 May 2025 by which the Applicant is initially protected which is extended from time to time.
3. The said protection was subject to the terms and conditions which have been set out in the order. The details of the First Information Report (for short 'F. I. R. '), the incidence, the relevant provisions/sections in the F. I. R. have been duly noted in the order dated 13 May 2025. Pursuant to the said order been passed, the Applicant has complied with the terms and conditions by attending police station whenever required/called for. He has co-operated

with the investigation as submitted by learned APP.

4. Learned APP, on instructions, submits that the Applicant has duly joined the investigation. The Applicant has also produced the receipts and all alleged articles stolen to show that those articles has been purchased by the Applicant. Learned APP would submit that the custodial interrogation would be required in the peculiar facts of the case.

5. It is trite law that these are not recovery proceedings. There is nothing on record to support the stand of the prosecution as far as the requirement of *prima facie* case is concerned. Pursuant to the order dated 13 May 2025, in such factual complexion, in my considered view, custodial interrogation of the Applicant is not warranted. The Anticipatory Bail Application deserves to be allowed by passing following order :-

ORDER

- (i) In the event of arrest of the applicant in connection with C.R. No.419/2025 registered with Tophkhana Police Station, Dist. Ahilyanagar for the offences punishable under Sections 305(a), 331(3) of the Bhartiya Nyaya Sanhita, the applicant is directed to be released on bail on their furnishing PR bond in the sum of Rs. 20,000 (Rupees Twenty Thousand Only) each with one solvent sureties in the like amount.
- (ii) The applicant shall cooperate with the investigation. They shall attend the concerned police station as and when required until filing of the charge-sheet

- (iii) The applicant shall furnish details of residential address and other contact details such as 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.
- (v) They shall not interfere with the evidence and shall not tamper prosecution witnesses in any manner whatsoever.

6. Needless to mention that these are *prima facie* observations made in adjudicating this ABA.

7. The ABA is **allowed** in above terms.

8. Criminal Application No. 2508 of 2025 is filed to assist APP. The same is allowed and disposed of as nothing survives in this Application.

(ADVAIT M. SETHNA, J.)

bsj