



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

942 ANTICIPATORY BAIL APPLN. NO. 1333 OF 2024

1] KUKAJI BHIMRAO MISAL
2] SANKET KUKAJI MISAL
3] ABHISHEK BHASKAR MISAL

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr.A.D.Raut
APP for Respondent-State : Mr.S.K.Shirse

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CORAM : ARUN R. PEDNEKER, J.

DATE : 07.01.2025

P.C. :

1] The learned counsel for the applicants submits that the applicant no. 1 is arrested, therefore, his application has become infructuous. In view of the same, the application of applicant no. 1 is dismissed as infructuous.

2] Heard learned counsel for the applicant nos.2 and 3 and the learned APP for the respondent-State.

3] The applicant nos. 2 and 3 are apprehending arrest in connection with Crime No. 0425/2024, registered with Gangakhed Police Station, District Parbhani, for the offences punishable under sections 402 r/w. 34 of the

Indian Penal Code and Sections 3 (2) (3) of the Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman Evil and Aghori Practices and Black Magic Act, 2013.

4] The learned counsel for the applicants submits that the applicant nos. 2 and 3 have deposited an amount of Rs. 50,000/- in this Court to show their bona fides, as per order dated 18.12.2024. The learned counsel for the applicants further submits that this Court, by order dated 6th August, 2024, has granted anticipatory bail in favour of applicant no.2, namely, Sanket Kukaji Misal and the applicant no.2 has attended the concerned police station and has co-operated with the investigation.

5] The allegations against the applicants are that the applicant nos. 2 and 3 have cheated the informant and have received the amount from the informant. Considering that by interim order, the applicant no.2 has attended the concerned police station and has co-operated with investigation and the applicant nos. 2 and 3 have deposited an amount of Rs.50,000/- in this Court to show their *bona fides*. In view of the same, the interim protection granted in favour of applicant no.2, by order dated 06.08.2024, stands confirmed and the application of applicant no.3 is allowed in the following terms :

i] In the event the applicant nos.2 and 3 are arrested in connection with Crime No. 0425/2024, registered with Gangakhed Police Station, District Parbhani, for the offences punishable under sections 402 r/w. 34 of the Indian Penal Code and Sections 3 (2) (3) of the Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman Evil and Aghori Practices and Black Magic Act, 2013, he shall be released on bail on furnishing PR bond of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant nos.2 and 3 shall attend the concerned police station as and when required by the investigating officer.

iii] The applicant nos.2 and 3 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 applicant nos.2 and 3 shall co-operate with the investigation and also in the proceedings before the trial Court.

6] In the event, the applicant nos. 2 and 3 violates any of the conditions specified in this order, it shall be liable to be cancelled.

7] 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 amount of Rs.50,000/- deposited by the applicant nos. 2 and 3 in this Court be transmitted to the trial Court.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC