



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

932 ANTICIPATORY BAIL APPLICATION NO. 1334 OF 2024

1. RAOSAHEB PATILBA JADHAV
2. PRASHANT SHIVAJI PALVE
3. SAGAR MHATARDEO JADHAV

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicants : Mr. Dattatraya Rambhau
Markad

APP for Respondent/State: Mr. S. K. Shirse

Advocate for Respondent No.4 : Mr. G. R. Rokade

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CORAM : ARUN R. PEDNEKER, J.

DATE : 10.01.2025

P.C. :

1] Heard learned counsel for the applicants and the learned APP for the respondent-State.

2] The applicants are apprehending arrest in connection with Crime No.519 of 2024, registered at Pathardi Police Station, District Ahmednagar, for the offences punishable under sections 354, 327, 341, 504, 506 read with 34 of the IPC.

3] This court by order dated 14.10.2024 in ABA/1274/2024 in another crime has observed at para 5, as under:

“5. There is no dispute about the fact that various First Information Reports came to be lodged by the parties herein against each other. There are two First Information Reports bearing Crime No. 515/2024 and 516/2024 in respect of two independent incidents occurred on 14.05.2024 involving son-in-law of the informant. Insofar as present report is concerned, the incident has occurred at about 1.00 pm on 14.05.2024 whereas the report is lodged after 24 hours. At this stage, this Court finds substance in the contention of learned counsel for the Applicants that this could be a case of false implication and the First Information Report in question could have been lodged by way of counter blast to the reports lodged by the accused/Applicants. This is not a case wherein any custodial interrogation of the Applicants would be necessary. Having regard to the disputes between the parties and registration of several reports against each other, a case of false implication is not ruled out. Hence, application is allowed in terms of the interim order.”

4] There is reference made to the present crime also. It is noticed that the parties have registered various offences against one another. This court feels that the custodial interrogation in this case may not be necessary; as the possibility of false implication cannot be ruled out.

5] Considering the same, in the present case, interim protection is granted by order dated 05.08.2024 stands confirmed, on the following terms:

i] The applicants shall attend the police station as and when required by the Investigating Officer.

ii] 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.

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

6] In the event, the applicants 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] Mr. G. R. Rokade, learned counsel appointed by this court to represent the cause of respondent no.4, shall be paid fees as per Rules by the High Court Legal Aid Services Sub-committee, Aurangabad.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE