



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

ANTICIPATORY BAIL APPLICATION NO.1385 OF 2025

Shankar Shivilala Rajput

..Applicant

Versus

The State of Maharashtra And Another

..Respondents

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Shri. Rajendrraa Deshmukkh, Senior Advocate, i/by.

Shri. Ramankumar Gopal Dodiya, Advocate for the Applicant

Shri. A. B. Girase, Public Prosecutor for the Respondent – State.

Shri. Vinod Patil, Advocate for the Informant

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CORAM : NEERAJ P DHOTE, J.

Dated : SEPTEMBER 25, 2025

PER COURT :-

. Since the Applicant is apprehending arrest in connection with Crime No.0564 of 2025 registered with Shrirampur City Police Station, Dist. Ahilyanagar for the offence punishable under Sections 109, 49, 351(2), 351(3) r/w. 3(5) of the Bharatiya Nyaya Sanhita, 2023, this Application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') for Anticipatory Bail.

2. The case of the Prosecution, in brief, is that, on 10.06.2025 while the Informant was traveling by rickshaw on Gautam Nagar Road, in order to prevent her from attending the case scheduled before this Court on 11.06.2025, the Accused persons assaulted her at the instance of the Applicant and one more and threatened that, if she attends the Court on the next day, she would be killed. Since the Informant sustained

injuries, she was admitted to the hospital for medical treatment. On the Report lodged by the Informant, the aforesaid Crime came to be registered.

3. Heard Shri. Rajendrraa Deshmukkh, the learned Senior Advocate for the Applicant, Shri. A. B. Girase, the learned Public Prosecutor for the State and Shri. Vinod Patil, the learned Advocate for the Informant at length. Perused the papers on record.

4. It is submitted by the learned Senior Advocate that, the Applicant is named merely because he is the friend of the Accused named Paras Zumbarlal Lalwani. The Applicant has nothing to do with the said incident. Since the investigation is completed and the Charge-sheet is filed, the custodial interrogation of the Applicant is not required. The learned Senior Advocate, therefore, submitted that, the Application be allowed.

5. The Application is opposed by the learned Public Prosecutor and the learned Advocate for the Informant. They submit that, the case of the Prosecution is supported by the independent witnesses and the evidence on record goes to show that, the Applicant is close aid of the Co-accused - Paras and they both had conspired to commit the said Crime. The Applicant was absconding, and therefore, the Application be

rejected.

6. The only evidence against the Applicant is that, the FIR named Accused, to whom the role of actual assault is attributed, told the Informant that, they had come at the instance of the Co-Accused - Paras and the Applicant and she was threatened not to attend the Court on the next day. The Co-Accused Paras is protected in Anticipatory Bail Application No.1384 of 2025. It is nobody's case that, the Applicant breached any of the conditions imposed by the learned Additional Sessions Court, Shrirampur, vide order dated 18.06.2025 passed in Criminal Bail Application No.189 of 2025 while granting interim protection to the Applicant. Investigation is completed and the Charge-sheet is filed. Considering the above aspects, in my view, the Application can be allowed by imposing appropriate conditions. Hence, the following order:

ORDER

- i) The Application is allowed.
- ii) In the event of arrest of the Applicant, namely, Shankar Shivilala Rajput in connection with Crime No.0564 of 2025 registered with Shrirampur City Police Station, Dist. Ahilyanagar for the offence punishable under Sections 109, 49, 351(2), 351(3) r/w. 3(5) of the Bharatiya Nyaya Sanhita, 2023, he be released on bail on executing P.B. of Rs.30,000/- (Rupees Thirty Thousand) with one or two surety/ sureties in the like amount.

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- iii) The Applicant shall not tamper with the Prosecution evidence in any manner.
- iv) The Applicant shall attend the concerned Police Station as and when called.
- v) The Application stands disposed off.

(NEERAJ P. DHOTE, J.)

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