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

ANTICIPATORY BAIL APPLICATION NO. 1380 OF 2025

Manojkumar Kadu Patil. Applicant

Versus

1. The State of Maharashtra
2. The Superintendent of Police,
Jalgaon, Dist. Jalgaon. Respondents

AND

ANTICIPATORY BAIL APPLICATION NO. 1389 OF 2025

Rajkumar Prakashchand Kawdiya Applicant

Versus

1. The State of Maharashtra
2. The Superintendent of Police,
Jalgaon Respondents

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Mr. Rajendra Deshmukh, Senior Advocate a/w Rakshanda Jaiswal,
Advocate i/b Mr. Vishal A. Chavan, Advocate for Applicant in
ABA/1389/2025

Mr. S.R. Dheple, Advocate for Applicant in ABA/1380/2025

Mr. M.K. Goyanka, APP for Respondent – State in both ABAs

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 21 AUGUST, 2025

PRONOUNCED ON : 22 AUGUST, 2025

PER COURT :-

1. Both above applications are arising out of one and the same Crime bearing No.0224 of 2025, registered at Jamner Police Station for offences under Sections 309(4), 310(2) 332 (b), 61(2), 115(2), 151(2), 352, 3(5) of the Bharatiya Nyaya Sanhita.

2. Mr. Deshmukh, learned senior counsel and Mr. Dheple representing each of the above applicants respectively, would submit that there is false implication. That, alleged occurrence is of 06.06.2025, but there is no prompt reporting. Learned senior counsel would point out that applicant in ABA/1389/2025 is also not named in the FIR. Allegations are made that, four persons assaulted informant, abused him and forcibly snatched Rs.2,000/-. Learned senior counsel pointed out that, applicant is not named for above role, rather, applicant had already met informant in the same evening at around 6.30, but no allegations are levelled about it. Thus, according to him, there is false implication alleging his client conspiring and hiring henchmen to assault informant. Learned senior counsel pointed out that, four persons are already granted regular bail. Learned senior counsel further pointed out that, applicant has acquired status in the society, he has educational institutions. That, merely because admission to informant's acquaintance was refused for not being qualified, out of annoyance, above report seems to have

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been lodged. Lastly, he submitted that in view of above, custodial interrogation is not necessary and his client would co-operate with investigation.

3. Learned counsel in ABA/1380/2025 would also point out that, there are no allegations against his client and no role is attributed to him. That, there is false implication in previous crime, but he is already acquitted. He too undertakes to co-operate in the investigation.

4. Learned APP opposed on the ground that, there are serious allegations. According to him, both applicants have criminal antecedents and that there is previous animosity. He pointed out that, CDR suggests that, there is telephonic conversation between accused persons named in the FIR and present applicants. That, there is CCTV footage and even episode of beating has been video-graphed. Hence, he opposes the relief of anticipatory bail.

5. Heard. Perused the FIR dated 07.06.2025 reported at 21.20 Hrs. regarding occurrence dated 06.06.2025 at 03.00 P.M. According to informant, Jeevan Sapkale came to his house along with Sharad, Shubham and Bahiya Wagh and questioned him for not supplying *Papad*. Informant has reported that, he was manhandled abused, threaten to kill and one Jeevan Sapkale snatched Rs.2000/- from his

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pocket. He further stated that at 6.30 p.m. he had met applicant Raju Kawadia, who said whether still he has not learnt a lesson. Thus, as regards to present applicants Rajkumar and Manoj are concerned, no overt act is attributed to them Rajkumar. Copy of order of grant of bail to Prashant, Sharad, Jeevan and Shubham dated 13.8.2025 is placed on record. Consequently, even ground of parity comes into play. When no recovery or discovery is shown to be made at the instance of applicants, and as they undertake to co-operate with the investigating machinery, applicants deserve relief as prayed for.

ORDER

- (i) Applications are allowed.
- (ii) In the event of arrest of applicants in connection with Crime bearing No.0224 of 2025, registered at Jamner Police Station for offences under Sections 309(4), 310(2) 332 (b), 61(2), 115(2), 151(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, The shall be released on executing P.B. and S.B. of Rs.15,000/- each with one surety each in the like amount.
- (iii) The applicants shall attend the concerned Police Station on every Monday and Thursday till filing of the charge-sheet and shall co-operate in the investigation.
- (iv) The applicants shall not tamper the prosecution evidence.

**ABHAY S. WAGHWASE,
JUDGE**