



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

933 ANTICIPATORY BAIL APPLN.NO.1457 OF 2024

VISHWANATH WAMAN GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

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Advocate for the applicant : Mr.Sohail Subhedar h/f.
Mr.A.D.Bhosale

APP for Respondent-State : Mr.B.B.Bhise

Advocate for the Assist to P.P. : Mr.S.V.Deshmukh h/f.
Mr.D.A.Nimbalkar

...

AND

ANTICIPATORY BAIL APPLN. NO. 1459 OF 2024

NARAYAN S/O.MARUTI GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

...

Advocate for the applicant : Mr.Sohail Subhedar h/f.
Mr.A.D.Bhosale

APP for Respondent-State : Mr.B.B.Bhise

Advocate for the Assist to P.P. : Mr.S.V.Deshmukh h/f.
Mr.D.A.Nimbalkar

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CORAM : ARUN R. PEDNEKER, J.

DATE : 14.01.2025

P.C. :

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

2] The applicants are apprehending arrest in connection with Crime No. 274 of 2024, registered at Belwandi Police Station, District Ahmednagar, for the offences punishable under sections 189 (2), 191 (2), 191 (3), 190, 118 (2), 119 (1), 125, 118 (1), 115 (2), 352, 351 (2) of the Bhartiya Nyaya Sanhita, 2023.

3] The learned counsel for the applicants submits that the allegations against the applicants are that the applicant, namely, Vishwanath Gaikwad has snatched magalsutra and the applicant, namely, Narayan has assaulted Udaysingh with stones. The allegations made against the applicants are exaggerated. The injury caused to the Udaysingh is simple in nature. The learned counsel for the applicants further submits that the civil dispute between the parties is going on and the same is pending. The learned counsel submits that the age of applicant, namely, Vishwanath Gaikwad is 85 years whereas the age of applicant, namely, Narayan is 18 years. The learned counsel for the applicants submits that main accused, namely, Satish Gaikwad is arrested. The learned counsel further submits that this Court, by order dated 26.08.2024, has granted interim protection in favour of the applicants. In terms of the said order, the applicants have attended the concerned police station and have co-operated with the investigation.

4] Considering that in terms of the order dated 26.08.2024, the applicants have attended the concerned police station and have co-operated with the investigation. The injuries caused to the injured is simple in nature. The age of the applicant, namely, Vishwanath is 85 years. In view of the same, the interim protection granted by orders dated 26.08.2024 stand confirmed, in the following terms :

i] The applicants shall attend the concerned police station as and when called 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.

5] In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

6] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail applications and the trial Court shall

proceed further in the matter without being influenced by the observations made hereinabove.

7] The applications stand disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC