



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

954 ANTICIPATORY BAIL APPLICATION NO. 1635 OF 2024

1. Khaisara Begum w/o Safar Ahemad Khan,
2. Bismillah Khan s/o Safar Ahemad Khan

VERSUS

1. The State Of Maharashtra,
2. The Superintendent of Police, Parbhani.

...
Advocate for Applicant : Mr. Shaikh Sohail Subhedar
APP for Respondents-State: Mr. S. K. Shirse
...

CORAM : ARUN R. PEDNEKER, J.

Dated : February 12, 2025.

PER COURT :-

1. Heard learned counsel for the applicants and the learned APP for the respondent-State.
2. The applicants are apprehending arrest in connection with FIR No.0391/2023, dated 09/09/2023, registered at Pathri Police Station, District Parbhani, for the offences punishable under sections 307, 323, 498(A), 324, 504, 506 read with 34 of the Indian Penal Code.
3. This Court, by order dated 30/09/2024, granted interim protection to the applicants, considering that the matrimonial dispute is in the process of being settled and that the parties have moved for quashing of the FIR before the Division Bench.
4. The learned Counsel for the applicants states that matrimonial

proceedings between the parties are still pending. The learned APP has produced the statements of the victim and her father recorded under Section 164 of the Cr.P.C., wherein they have retracted their earlier statements.

5. Considering the statements recorded under Section 164 of Cr.P.C, of the victim and her father, the interim protection granted by order dated 30/09/2024 is confirmed.

6. In view of the above, the application is allowed in the following terms : -

i] In the event the applicants are arrested in connection with FIR No.0391/2023, dated 09/09/2023, registered at Pathri Police Station, District Parbhani, for the offences punishable under sections 307, 323, 498(A), 324, 504, 506 read with 34 of the Indian Penal Code, they shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicants shall attend the police station as and when called by the police.

iii] 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.

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

7. In the event, the applicants violates any of the conditions specified in this order, it shall be liable to be cancelled.

8. 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.

9. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.