



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

955 ANTICIPATORY BAIL APPLICATION NO. 1651 OF 2024

SHIKLODHAN BABURAO KAMBLE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Tukaram Maruti Venjane
APP for Respondents 1 & 2 : Mrs. M.L. Sangit
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 20.02.2025

PER COURT :

1. Heard the learned counsel for the applicant and the learned APP for the respondents-State.
2. The applicant is apprehending arrest in connection with Crime No. 213/2024 dated 3.9.2024 registered with Kasarshirsi Police Station, District Latur for the offences punishable under sections 64 and 333 of B.N.S. 2023.
3. This Court by order dated 30.09.2024 has granted interim protection to the applicant by noting submissions and reasons at para Nos. 1 and 2, as under :-

"1. Learned Counsel for the Applicant submits that there is delay in lodging of the FIR. It is his submission, on instructions, that there was consensual physical relationship between Applicant and the informant. To support said submissions, he has placed before this Court photographs of the Applicant and the informant.

2. Having regard to the said photographs, there is possibility of this being a case of false implication. On instructions, he makes statement that there are no criminal antecedents behind Applicant. Hence, case is made out for interim relief. Hence, the order :-"

4. The learned counsel for the applicant submits that in pursuance of the

interim order of this Court, the applicant has attended the police station and cooperated with investigation. The learned counsel also submits that all the photographs were also given to the I.O. indicating therein consensual relationship between the applicant and informant.

5. Considering the submissions that the applicant has cooperated with the investigation and prima facie observations made by this Court in interim order dated 30.9.2024 that there is possibility of consensual relationship, interim protection can be confirmed.

6. In view of the above, the application is allowed and the interim protection granted on 30.9.2024 is confirmed on the following terms :

i] The applicant shall attend the police station as and when required.

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

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

7. In the event, the applicant 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.]