



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

965 ANTICIPATORY BAIL APPLICATION NO. 1676 OF 2024

SHAM TULSIRAM SANTRE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Abhaysinh K. Bhosle (V.C.)
APP for Respondent/State : Mr. S.K. Shirse
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 04/03/2025

PER COURT :

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is apprehending arrest in connection with Crime No. 380/2024 dated 19.8.2024 registered with Ambad Police Station, District Jalna for the offences punishable under sections 121(1), 121(2), 132, 3(5), 351(2), 352 of B.N.S., 2023.
3. This Court by order dated 7.10.2024 has granted interim protection to the applicant considering the submissions made in para 3 of the order, which as under :-

"3. Learned counsel for the applicant submits that the application has been rejected on the premise that, since there were three accused persons and two are arrested, recovery of iron rod has to be done from the present applicant. It is his submission that such finding cannot sustain and this cannot be reason for rejecting application of the present Applicant. He further submits that there is no criminal antecedents against present Applicant."

4. In pursuance of the order dated 7.10.2024, the applicant has attended the police station and has cooperated with the investigation. After

the interim order of this Court, recovery of iron rod is made. Considering the same, I hold that further custodial interrogation of the applicant is not necessary and the interim protection granted on 7.10.2024 can be confirmed.

5. In view of the above, the application is allowed and the interim protection granted on 7.10.2024 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.

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

7. 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.

8. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/