



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

939 ANTICIPATORY BAIL APPLICATION NO. 1688 OF 2024
WITH
CRIMINAL APPLICATION NO. 4285 OF 2024 IN ABA/1688/2024

NITIN BALDEV PAWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Pandit Sushil Pushpendra
APP for Respondents 1 & 2 : Ms. Neha B. Kamble
Advocate for assisting APP : Mr. M.B. Borse
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 20/03/2025

PER COURT :

1. Criminal Application No. 4385/2024 filed for assisting APP is allowed.
Mr. M.B. Borse, learned advocate is allowed to assist APP.
2. Heard the learned counsel for the applicants, the learned APP for the respondents-State and Mr. M.B. Borse, learned advocate assisting APP.
2. The applicant is apprehending arrest in connection with Crime No. 525/2024 dated 15.8.2024 registered with Shahada Police Station, Dist. Nandurbar for the offences punishable under sections 140(1), 141(1), 118(1), 115(2), 189(2), 190 and 191(2) of B.N.S., 2023.
3. This Court by order dated **9.10.2024** has granted interim protection to the applicants.
4. The case against the applicants is that they helped the other co-accused in taking the victim/informant on scooty towards another place where it is alleged that the informant was again assaulted by the applicants and other co-accused. It is stated that the applicants are involved in kidnapping and assault on informant.

5. The learned APP has produced the transcript of the CCTV footage. Perusal of the same indicates that applicants have taken the informant on the scooty. Submissions in the FIR in respect of above allegations can be verified. However, the learned counsel for the applicants submits that the applicants are helping the informant by taking him to another place. The learned counsel submits that the applicants are student and respectable persons in the society. One of the applicant is medical practitioner and they have no role in the offence. The learned counsel for the applicant submits that the main accused are released on bail.

6. Considering that the submissions made by the applicant may be one of the possibility and considering that interim protection has been granted to the applicant on **9.10.2024**, I hold that further custodial interrogation of the applicants is not necessary.

7. In view of the above, the application is allowed and the interim protection granted on **9.10.2024** is confirmed on the following terms :

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

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.

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

9. 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.

10. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/