



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

947 ANTICIPATORY BAIL APPLICATION NO. 1715 OF 2024

RAVINDRA UTTAM SIRSAT AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Prashant Prabhakar Giri
APP for Respondents 1 & 2 : Mr. B.B. Bhise
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 19/03/2025

PER COURT :

1. Heard the learned counsel for the applicants and the learned APP for the respondents-State.
2. The applicants are apprehending arrest in connection with Crime No. 237/2024 dated 24.8.2024 registered with Dharur Police Station, Tq. Dharur, District Beed for the offences punishable under sections 310(2), 311 of B.N.S., 2023.
3. This Court by order dated 5.3.2025 has granted interim protection to the applicant Nos. 1 and 3. Interim protection to applicant No. 2 was already granted by order dated 10.10.2024. The relevant para Nos. 3 to 5 in the order dated 5.3.2025 are as under :-

"3. This Court, by order dated 10/10/2024, granted interim protection to applicant No.2, being a lady. The learned Counsel for the applicants submits that two of the co-accused have been granted anticipatory bail by order dated 24/01/2025 in ABA/1674/2024, specifically observing in paragraph No.5 as under : -

"5. Pre existing disputes between the parties create possibility of false implication though at the same time, possibility of commission of crime is also not ruled out. In this case, there are disputes over the property.

There are no crimes registered against the applicants indicating that they are involved in crimes like theft, extortion etc. in such circumstances, delay of a day in lodging First Information Report becomes fatal at this stage. Applicants were granted granted relief on 08/10/2024, they cooperated in the investigation and there is no abuse of the liberty. Hence, the application is allowed in terms of the interim order."

4. The learned Counsel for the applicants submits that there are two cross-FIRs registered, and the applicants have suffered injuries. There is a civil dispute between the parties, involving family members of the deceased, including four children. Some of the tenants are the present applicants. On the date of the alleged incident, the applicants were present in the Court, opposing certain applications made by the informant side seeking the deletion of their names from the heirship certificate.

5. The learned APP has produced medical certificates of two persons, pointing out that the informant and a witness has sustained simple injuries. The learned Counsel for the applicants submits that during the scuffle between the parties, the applicants also sustained injuries, some of which are grievous in nature. The learned APP further points out that there is a specific allegation of snatching Rs. 25,000/- providing details of the currency notes. However, considering the overall aspect of the matter, exaggeration cannot be ruled out."

4. The learned counsel for the applicants submits that all the applicants herein have attended the police station and have cooperated with the investigation.

5. Considering that the anticipatory bail has been granted to the two other co-accused by order dated 24.1.2025 in ABA No. 1674/2024 and also considering the observations made by this Court in the order dated 5.3.2025 and considering that the applicants have cooperated with investigation and investigation is almost complete, I hold that further

custodial interrogation of the present applicants is not necessary. As such, the interim protection granted by order dated 5.3.2025 in favour of applicant Nos. 1 and 3 and by order dated 10.10.2024 in favour of applicant No. 2 can be confirmed.

6. In view of the above, the application is allowed and the interim protection granted on 5.3.2025 and 10.10.2024 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.

7. In the event, the applicants violate 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.]

SSC/