



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

964 ANTICIPATORY BAIL APPLICATION NO. 1750 OF 2024

BALU BHIMRAO JADHAV

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Apparao Bhimrao Kharosekar

APP for Respondent/State: Mr. A. A. A. Khan

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 05.03.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is apprehending arrest in connection with Crime No.1031/2024, dated 20.09.2024, registered at Tophkhana Police Station, Ahmednagar District Ahmednagar, for the offences punishable under Sections 132, 121, 126(2), 115(2), 352, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023.

3] This court by order dated 14.10.2024 granted interim protection to the applicant noting his submission at para 3, as under:

“3. Learned counsel for the Applicant submits that the report has been lodged by the police personnel after

more than 2 months of the occurrence of the alleged incident dated 11.07.2024 and 12 days after incident of 14.09.2024. Perusal of the First Information Report shows that here is a case where police personnel is allegedly abused by the Applicant. There is no justification for no immediate report is lodged against the Applicant. This Court, therefore, finds substance in the contention of learned counsel for Applicant that this could be a case of false implication. Hence, liberty of the Applicant is protected till prosecution is heard in the matter. Hence, the following order :-..."

4] The learned counsel for the applicant submits that the reason that the Sessions Court has dismissed the anticipatory bail application of the applicant was that his mobile was yet to be seized and the recovery of the article is to made. He submits that the applicant's mobile phone is surrendered to the police and in terms of the interim order the applicant has attended the concerned police station and cooperated with the investigation.

5] In view of the above, the interim protection granted by order dated 14.10.2024 stands confirmed, on the following terms:

- i] The applicant shall attend the police station as and when required by the Investigating Officer.
- 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]
JUDGE

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