



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

53 ANTICIPATORY BAIL APPLN. NO. 1797 OF 2024

OM @ GUBBARA S/O. SHANTAPPA JIDDE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr.N.S.Shinde

APP for Respondent-State : Mr.B.B.Bhise

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CORAM : ARUN R. PEDNEKER, J.

DATE : 03.03.2025

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. 506/2024, registered with Gandhi Chowk Police Station, Latur, for the offence punishable under Section 109 (1), 115 r/w. 3 (5) of the Bhartiya Nyaya Sanhita.

3] This Court, by order dated 22.10.2024, has granted interim protection in favour of the applicant for the submissions stated in para no.4, as noted below :

4. Learned counsel for applicant submits that perusal of the first information report shows that there is no allegation against the present applicant of using any weapon in the alleged assault. It is alleged that he

assaulted informant with kick and fist blows. According to him the incident in question has occurred spontaneously without any predetermination and hence, the act of the co-accused are not attributed to the applicant. Learned counsel for the applicant, on instruction, makes solemn statement that there are no criminal antecedents against the applicant.

4] The learned counsel for the applicant submits that in pursuance of the aforesaid order, the applicant has attended the concerned police station and has co-operated with the investigation.

5] Considering that nothing is to be recovered from the applicant, so also, investigation in the matter is complete and charge sheet is filed, the interim protection granted by this Court by order dated 20.10.2024 stands confirmed, in the following terms :

i] 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.

ii] The applicant shall co-operate with 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

DDC