



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

**48 ANTICIPATORY BAIL APPLICATION NO. 1899 OF 2024**

1. Avesh Asagar Khatik,
2. Nasir s/o Babu Sayyed,
3. Sohel s/o Rashid Shaikh,
4. Irfan s/o Vahid Shaikh.

**VERSUS**

1. The State of Maharashtra,
2. the Superintendent of Police,Ahmednagar.

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Advocate for Applicant : Mr. Gandhi Amol Subhash

APP for Respondents-State: Mr. G. O. Wattamwar

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**CORAM : ARUN R. PEDNEKER, J.**

**Dated : January 20, 2025.**

**PER COURT :-**

1. At the outset, the learned Counsel for the applicant seeks leave to withdraw the application in respect of applicant No.4 - Irfan s/o Vahid Shaikh only. Leave is granted. Application stands dismissed in respect of applicant No.4 only.

2. Heard learned counsel for the applicants No.1 to 3 and the learned APP for the respondent-State.

3. The applicants No.1 to 3 are apprehending arrest in connection with FIR No.0346/2024, dated 15/08/2024, registered at Kopargaon Police Station, District Ahmednagar, for the offences punishable under sections 118 (1), 125, 189(2), 190, 191(2), 324(4), 333, 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023.

4. This Court, by order dated 29/10/2024, protected the applicants for the reason that their names were not mentioned in the FIR. It appears from the record that the applicants are from the same village as the victim. The mother of the victim lodged the FIR, but the names of the applicants were not mentioned. Furthermore, no specific role has been attributed to indicate who assaulted the son of the informant.

5. Considering the interim protection granted by this Court on 29/10/2024 and the fact that the applicants' names are not mentioned in the FIR and no specific role is attributed to them in the supplementary statement, the interim protection granted on 29/10/2024 stands confirmed only in respect of applicants No.1 to 3.

6. In view of the above, the application is partly allowed. The application in respect of Applicant No. 4 stands dismissed as withdrawn. The application is allowed in respect of Applicants No. 1 to 3 on the following terms : -

i] In the event the applicants No.1 to 3 are arrested in connection with FIR No.0346/2024, dated 15/08/2024, registered at Kopargaon Police Station, District Ahmednagar, for the offences punishable under sections 118 (1), 125, 189(2), 190, 191(2),

324(4), 333, 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023, they shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicants No.1 to 3 shall attend the police station as and when called by the police.

iii] The applicants No.1 to 3 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.

iv] The applicants No.1 to 4 shall co-operate with the investigation and also in the proceedings before the trial Court.

7. In the event, the applicants No.1 to 3 violates 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. )

*vj gawade/-.*