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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1656 OF 2024 WITH
CRIMINAL APPLICATION NO. 4462 OF 2024 IN
ANTICIPATORY BAIL APPLICATION NO. 1656 OF 2024

Sunil s/o Asaram Solanke .. Applicant

versus

The State of Maharashtra .. Respondent

Mr. S. S. Tope, Advocate for the applicant.
Mrs. M. N. Ghanekar, APP for the State.
Mr. S. S. Jadhav, Advocate holding for Mr. A. R. Gaikwad, Advocate
for the informant.

WITH
ANTICIPATORY BAIL APPLICATION NO. 1654 OF 2024 WITH
CRIMINAL APPLICATION NO. 4610 OF 2024 IN
ANTICIPATORY BAIL APPLICATION NO. 1654 OF 2024

Ashok Jijabhau Goje and others .. Applicants

versus

The State of Maharashtra .. Respondent

Mr. S. S. Tope, Advocate for the applicant.
Mrs. M. N. Ghanekar, APP for the State.
Mr. S. S. Jadhav, Advocate holding for Mr. A. R. Gaikwad, Advocate
for the informant.

CORAM : R. M. JOSHI, J.
DATE : 5th FEBRUARY, 2025.

PER COURT :

1. At the outset, learned counsel for informant seeks permission to assist learned APP.
2. Having regard to the nature of offence, he is permitted to assist learned APP.
3. Criminal Application Nos. 4462/2024 and 4610/2024 are allowed.
4. Applicants apprehend arrest in connection with Crime No. 0347/2024 registered with Majalgaon City Police Station, District Beed, for the offences punishable under Sections 352, 351(2), 333, 324(4), 191, 190, 119(1), 115(2) of the Bharatiya Nyaya Sanhita.
5. First informant Ashok Solanke has reported the incident occurred on 31.08.2024 at around 6 to 7 pm. He claims that he was at Sitaram Complex in Ashuthosh Multiservices shop. He alleges that present applicants along with co-accused came to the shop. They threatened him and also assaulted him with iron rod, stones and bricks etc. In the said incident, he is claimed to have sustained

serious injuries. There is allegation against the co-accused that he has taken away mobile phone from the shop.

6. Learned counsel for applicants submits that except for the allegation against co-accused, there is nothing to indicate involvement of applicants in this crime. It is his further submission that on the basis of available material on record, it cannot be said that these applicants had entered the shop with any weapon. Thus, he submits that the question of extortion in absence of any evidence to indicate so does not arise.

7. Learned APP and learned counsel for informant opposed the application by citing seriousness of the crime.

8. Perusal of investigation papers indicates that the incident which is alleged to have occurred on 31.08.2024 is video recorded. Transcript thereof indicates that none of the accused persons was having any weapon when they entered the shop. Except the allegation against co-accused that he took away mobile phone from the said shop, there is nothing to indicate that custodial interrogation of the applicants is necessary. In the First Information Report, it is

clearly stated that the informant and applicants are political rivals. Thus, possibility of false/over implication cannot be ruled out. Hence, both the applications are allowed in terms of the interim order.

(R. M. JOSHI)
Judge

dyb