



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

945 ANTICIPATORY BAIL APPLN.NO. 2016 OF 2024

- 1] SHAIKH HAMEED SHAIKH JANIMIYAN
- 2] SHAIKH JUBEDABEE W/O. SHAIKH HAMID
- 3] SHAIKH AJJU S/O.SHAIKH HAMID
- 4] AARIF S/O.SARVAR SHAIKH
- 5] MADHAV S/O. GYANOBA BADEWAD
- 6] IMRAN S/O. FARUKH SHAIKH
- 7] SHAIKH GAUS SHAIKH AHEMAD

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr.I.D.Maniyar
APP for Respondent-State : Mrs.V.S.Chaudhari
Advocate for the Assist to P.P. : Mr.N.S.Salunke

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WITH

**CRIMINAL APPLICATION NO.5004 OF 2024 IN
ANTICIPATORY BAIL APPLICATION NO.2016 OF 2024**

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CORAM : ARUN R. PEDNEKER, J.

DATE : 09.01.2025

P.C. :

1] Heard. For the reasons stated in the Criminal Application No.5004 of 2024 for assisting to the P.P. is allowed. The Criminal Application is disposed of accordingly.

2] Heard learned counsel for the applicants in ABA No. 2016 of 2024, learned counsel for the informant and the learned APP for the respondent-State.

3] The applicants are apprehending arrest in connection with Crime No. 0366/2024, registered at Umri Police Station, Taluka Umri, District Nanded, for the offences punishable under sections 64, 69, 89, 115 (2), 352, 3 (5) of the B.N.S., 2023.

4] The learned counsel for the applicants submits that this Court, by order dated 27.11.2024, has granted interim protection in favour of the applicants. In terms of the said order, the applicants have attended the concerned police station and have co-operated with the investigation. The charge sheet is filed in the matter.

5] The learned APP submits that one NCR No. 0448/2024 is also registered against the applicant no.1 in respect of threatening the informant.

6] Considering that in terms of interim order dated 27.11.2024, the applicants have attended the concerned police station and have co-operated with the investigation. The charge sheet is filed in the matter. The co-accused, against whom the allegations are made that he had promised to marry the complainant, is taken in custody.

Prima facie, since abortion is taken place in the Hospital it is difficult to accept that the Hospital Authorities has not given medical understanding to the complainant, so also, to the father of the complainant. Further custodial interrogation of the applicants is not necessary in the matter. In view of the same, interim protection granted by this Court by order dated 27.11.2024 stands confirmed, in the following terms :

i] The applicants shall attend the concerned police station as and when required by the investigating officer.

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]
JUDGE

DDC