



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

956 ANTICIPATORY BAIL APPLICATION NO. 2028 OF 2024

1. MOTIRAM ROHIDAS DHIWAR
2. AMRAT MOTIRAM DHIWAR

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Gade Akash D.
APP for Respondent/State: Mr. A. A. A. Khan

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WITH

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ANTICIPATORY BAIL APPLICATION NO. 1736 OF 2024

1. SAGARABAI W/O MOTIRAM DHIWAR
2. POOJA MOTIRAM DHIWAR

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Gade Akash D.
APP for Respondent/State: Mr. A. A. A. Khan

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CORAM : ARUN R. PEDNEKER, J.

DATE : 07.03.2025

P.C. :

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

2] The applicants are apprehending arrest in connection with Crime No.0171/2024, dated 20.06.2024, registered at Peth Beed Police Station, Beed, District Beed, for the offences punishable under Sections 25, 3, 4 of the

Arms Act, 1959, Sections 307, 143, 147, 148, 149, 323, 504 and 506 of Indian Penal Code, 1860 and Section 135 of the Maharashtra Police Act, 1951.

3] This court by orders dated 03.12.2024 and 14.10.2024 granted interim protection to the applicants in both the applications respectively.

4] The learned counsel for the applicants submits that thereafter, the applicants have cooperated with the investigation. He further submits that as far as Sagarabai and Pooja i.e Accused Nos.10 and 9 respectively, there are no allegations against Sagarabai and as regard Pooja it is alleged that she has slapped the paternal aunt Usha Dongre. It is stated that there are no allegations against Accused No.5 – Amrat. He further submits that general allegations are made against Motiram / Accused No.4 that he assaulted by means of rod.

5] The learned APP produced the Injury Certificate, which discloses that the injuries are simple in nature. It is stated that the main accused Prasad, who has used sword was arrested and has been granted bail.

6] Considering that the nature of injuries are simple and that possibility of over implication cannot be ruled out, the interim protection granted earlier to Accused

Nos.5, 9 and 10 can be confirmed and Accused No.4 can also be granted anticipatory bail.

7] In view of the above, the interim protection granted by orders dated 03.12.2024 and 14.10.2024 stands confirmed qua Accused Nos.5, 9 and 10, on the following terms:

i] The applicants shall attend the 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. He 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.

8] So also, Accused No.4 is granted anticipatory bail on the same conditions as recorded in the order dated 03.12.2024 and also on the above noted conditions.

9] In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

10] 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.

11] The applications stand disposed of.

[ARUN R. PEDNEKER]
JUDGE

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