



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

947 ANTICIPATORY BAIL APPLN. NO.2071 OF 2024

1] MAULLANA SALMAN KHAN
@ PATHAN SALMAN KHAN SALIM KHAN
2] KADIR MAULLANA @ ABDUL KADIR TAJ
MOHAMMAD BAGWAN
3] GULAM HAFIZ SAHAB @ GULAM TAJ MOHAMMAD
BAGWAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr.S.B.Bakhriya h/f. Mr.S.S.Kazi
APP for Respondent-State : Mr.S.K.Shirse
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 31.01.2025

P.C. :

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

2] The applicant nos.1 and 3 are apprehending arrest in connection with Crime No. 579/2024, registered at Nandurbar City Police Station, Nandurbar, for the offence punishable under Sections 109, 190, 132, 121 (2), 324 (4) (5), 118 (1), 189 (2), 191 (2) (3), 326 (f)(g), 125 (a) (b), 333, 298 of the Bharatiya Nyay Sanhita, 2023 and Sections 4 and 25 of the Indian Arms Act, Section 3 and 7 of Prevention of Damage to Public Property Act, 1984 r/w.

Section 7 of Criminal Law Amendment Act and under Sections 37 (1) (3) r/w. 135 of the Maharashtra Police Act.

3] This Court, by order dated 06.01.2025, has granted interim protection in favour of the applicant nos.1 and 3 by noting facts and the reasons stated in para no.5 of the said order, noted below :

5. As regards applicants No.1 and 3, the prosecution does not have any evidence in the form of a statement from a co-accused or CCTV footage showing that applicants No.1 and 3 were present at the time of the procession or that they pelted stones at members of the other community.

4] The learned counsel for the applicants submits that the applicant nos.1 and 3 have attended the concerned police station and have co-operated with the investigation.

5] The learned APP has no grievance as regards co-operation of the applicant nos. 1 and 3 in investigation.

6] Considering the same, the interim protection granted by this Court by order dated 06.01.2025 stands confirmed, in the following terms :

i] The applicant nos. 1 and 3 shall attend the police station as and when required by the investigating officer.

ii] The applicant nos. 1 and 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.

iii] The applicant nos. 1 and 3 shall co-operate with the investigation and also in the proceedings before the trial Court.

7] In the event, the applicant 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 in respect of applicant no.2 is already dismissed as withdrawn by order dated 06.01.2025.

10] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE