



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

941 ANTICIPATORY BAIL APPLICATION NO. 1983 OF 2024

GANESH @ RAHUL AMBADAS KHOMANE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Rahul R. Karpe

APP for Respondents 1 & 2 : Mr. B.B. Bhise

...

WITH

ANTICIPATORY BAIL APPLICATION NO. 1956 OF 2024

AMBADAS POPAT KHOMANE AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Rahul R. Karpe

APP for Respondents 1 & 2 : Mr. B.B. Bhise

...

WITH

CRIMINAL APPLICATION NO. 4825 OF 2024

IN ABA/1983/2024

VIJAY VISHVANATH TANDALE

VERSUS

GANESH @ RAHUL AMBADAS KHOMANE AND OTHERS

...

Advocate for Applicant : Mr. Lagad Yogesh Hanumant

...

WITH

CRIMINAL APPLICATION NO. 4826 OF 2024

IN ABA/1956/2024

VIJAY VISHVANATH TANDALE

VERSUS

AMBADAS POPAT KHOMANE AND OTHERS

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Advocate for Applicant : Mr. Lagad Yogesh Hanumant

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CORAM : ARUN R. PEDNEKER, J.

Dated : January 31, 2025

PER COURT :-

1. 1. Criminal Application Nos. 4825/2024 and 4826/2024 are filed for assisting the learned APP. The applications are allowed and Mr. Y.H.

Lagad, learned counsel is allowed to assist the learned APP.

2. Heard the learned counsel for the applicants, the learned APP for the respondents-State and Mr. Y.H. Lagad, learned advocate assisting APP.

3. The applicants in ABA No. 1983/24 and ABA No. 1956/2024 are apprehending arrest in connection with Crime No. 623/2024 dated 11.10.2024 registered with Karjat Police Station, Karjat, District Ahmednagar for the offences punishable under sections 189(2), 191(2), 191(3), 190, 118(2), 118(1), 308(2), 115(2), 119(1), 352, 351(3) of B.N.S., 2023.

4. The case against the applicants is that the applicants with their common intention assaulted the informant, in pursuance of which the above F.I.R. is lodged against the applicants. The learned counsel for the applicants submits that the main two accused Ajit and Amit, whose role is vital in this crime, were arrested and recovery is made at their instance and thereafter, they were released.

5. This Court by order dated 21.11.2024 has granted interim protection to the applicants in ABA No. 1983/2024 and by order dated 14.11.2024 to the applicants in ABA 1956/2024. The learned counsel submits that the applicants have cooperated with the investigation.

6. The learned APP has produced the copy of the medical certificate of the informant which shows that there are eight simple multiple injuries sustained by the informant. The learned counsel appearing for assisting the APP submits that accused Vinayak and Gokul are the main accused who have assaulted the informant and the informant has given supplementary statement one and half months after the incident that accused Vinayak and Gokul have caused injuries to the informant.

7. Considering the fact that the two accused are already arrested and released on regular bail and that the supplementary statement of informant is recorded one and half months after the incident and that injuries are simple in nature though multiple and that the present applicants have cooperated with the investigation, I hold that the custodial interrogation of the applicants is not necessary.

8. In view of the same, ABA Nos. 1983/2024 and 1956/2024 are allowed and the interim protection granted on 21.11.2024 in ABA No. 1983/2024 and on 14.11.2024 in ABA No. 1956/2024 is confirmed on the following terms :

i] The applicants shall attend the police station as and when required.

iii] 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.

iv] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

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, J.)

ssc/