



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 ANTICIPATORY BAIL APPLICATION NO. 2107 OF 2024

ANKUSH SAKHARAM TOGE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Krushna S. Solonke h/f. Naik Sarvesh Jaipal
APP for Respondents 1 & 2 : Mr. A.A.A. Khan
...

CORAM : ARUN R. PEDNEKER, J.
Dated : January 22, 2025

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is apprehending arrest in connection with Crime No. 280/2024 dated 4.11.2024 registered with Wadwani Police Station, District Beed for the offences punishable under sections 75, 76, 109, 115, 333, 352, 351(2), 351(3) r/w. 3(5) of B.N.S. 2023.
3. This Court has granted interim protection to the applicant vide order dated 11.12.2024. In the said order, it has been noted that there has been prior enmity between the parties.
4. The learned counsel for the applicant submits that the enmity between the parties is on account that the son of the informant eloped with the wife of the brother of the applicant and on that count, incident took place. The learned counsel submits that applicant has cooperated with the investigation as directed by this Court and all the recovery has been made and therefore, custodial interrogation of the applicant is not necessary. The learned counsel, therefore, prays to confirm the interim protection.

5. It appears that the applicant has cooperated with the investigation and all the recovery in the crime has already been made. Considering the nature of allegations, at this stage, possibility of exaggeration cannot be ruled out. Considering the above, I hold that further custodial interrogation of the applicant is not necessary.

6. In view of the above, the application is allowed and the interim protection granted by this Court vide order dated 11.12.2024 is confirmed on the following terms :

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

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not contact or influence the informant, witnesses and other persons concerned with the case.

iv] The applicant 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 stands disposed of.

(ARUN R. PEDNEKER, J.)

ssc/