



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

**37 ANTICIPATORY BAIL APPLICATION NO. 2108 OF 2024
SUSHANT SUNIL PAWAR**

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Deshmukh Vivekanand B.
APP for Respondent/State: Ms. N. B. Kamble

...

WITH

...

ANTICIPATORY BAIL APPLICATION NO. 2095 OF 2024

1. RAMAKANT PRABHAKAR SANAP

2. UMAKANT PRABHAKAR SANAP

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicants : Mr. Doke Kishor R.
APP for Respondent/State: Ms. N. B. Kamble

WITH

**CRIMINAL APPLICATION NO. 4978 OF 2024
IN ABA/2095/2024**

SUSHANT SUNIL PAWAR

VERSUS

RAMAKANT PRABHAKAR SANAP AND OTHERS

...

Advocate for Applicant : Mr. Deshmukh Vivekanand B.
APP for Respondent/State: Ms. N. B. Kamble
Advocate for Respondents No.2&3: Mr. K. R. Doke

WITH

**CRIMINAL APPLICATION NO. 5003 OF 2024
IN ABA/2108/2024**

XYZ
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Doke Kishor R.
APP for Respondent/State: Ms. N. B. Kamble
Advocate for Respondent No.2: Mr. V. B. Deshmukh

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 03.02.2025

P.C. :

1] Heard learned counsel for the applicants, learned APP for the respondent-State and learned counsel for assist to public prosecutor in respective applications.

2] The applicant is apprehending arrest in connection with Crime No.0327/2024, dated 11.11.2024, registered at Washi Police Station, District Dharashiv, for the offences punishable under Sections 64(1), 78(1), 118(1), 115(2) of the Bharatiya Nyaya Sanhita, 2023 in ABA/2108/2024 & the applicants are apprehending arrest in connection with Crime No.0326/2024, dated 11.11.2024, registered at Washi Police Station, District Dharashiv, for the offences punishable under Sections 109, 352, 3(5) of the Bhartiya Nyaya Sanhita, 2023 in ABA/2095/2024.

3] Criminal Applications No.4978 of 2024 & 5003

of 2024 are partly allowed to the extent of assist to public prosecutor.

4] This court by interim order dated 18.12.2024 in ABA/2108/2024 granted interim protection to the applicant considering the facts and reasons mentioned in paras 3 and 4 of the said order, so also, granted interim protection to the applicants by order dated 09.12.2024 in ABA/2095/2024 considering the facts and reasons mentioned in paras 5 and 6, as under:

“ABA/2108/2024, dated 18.12.2024:

3] Allegations against the present applicant are that on 09.11.2024 at about 9.30 a.m. when the informant was alone in the kitchen, the applicant entered the house and locked the door of the house from inside and asked the informant that why she discloses his name to her husband and thereafter he beaten her and forcefully committed rape and thereafter ran away from there.

4] Considering the cross FIR in which this Court has granted interim protection to the applicants therein and has observed at para no.5 as under :

5. The allegations against the applicants is that they have assaulted the complainant by means of iron rod and wooden stick on right hand, back, leg etc. Thereafter, the wife of the one applicant has also filed complaint against the other side. It is alleged in the complaint filed by wife of the applicant that complainant has been troubling her by giving his mobile number on the chits and used to keep on moving in front of her house. The learned counsel for the applicants submits that there are no serious injuries sustained by the informant.”

“ABA/2095/2024, dated 09.12.2024:

5. The allegations against the applicants is that they have assaulted the complainant by means of iron rod and wooden stick on right hand, back, leg etc. Thereafter, the wife of the one applicant has also filed complaint against the other side. It is alleged in the complaint filed by wife of the applicant that complainant has been troubling her by giving his mobile number on the chits and used to keep on moving in front of her house. The learned counsel for the applicants submits that there are no serious injuries sustained by the informant.

6. Considering the nature of the allegations, the nature of injuries caused, I deem it appropriate to grant interim protection to the applicants till the next date.”

5] The learned counsel for the applicants in respective applications submits that in pursuance of the interim orders the applicants have cooperated with the investigation. Considering the same, interim protection granted earlier to the applicants deserves to be confirmed.

6] In view of the above, the interim protection granted by orders dated 18.12.2024 and 09.12.2024 in respective applications stands confirmed, 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. 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 applications and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9] The applications stand disposed of.

[ARUN R. PEDNEKER]
JUDGE

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