



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

951 ANTICIPATORY BAIL APPLN.NO. 2113 OF 2024

**MAHESH BONLWAR @ MAHESH
S/O VITHALRAO BODI**

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Adv.V.S.Wakale h/f.
Adv.S.D.Tekwad

APP for Respondent-State : Mr.A.A.A.Khan

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 31.01.2025

P.C. :

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

2] The applicant is apprehending arrest in connection with Crime No. 0529/2024, registered with Degloor Police Station, Taluka Degloor, District Nanded, for the offences punishable under sections 333 and 76 of Bharatiya Nyaya Sanhita, 2023.

3] This Court, by order dated 10.01.2025, has granted interim protection in favour of the applicant for the reasons stated in para nos.3 and 4 of the said order, noted as under :

3] *The allegations against the applicant are that the applicant had entered the house of the informant and that he had manhandled her and that the clothes from her person were torn. Thereafter, when the victim had raised shouts, her daughter and son have woke up and therefore the applicant by leaving his mobile handset had left the house of the informant. On the basis of the said allegations, the FIR is lodged against the applicant.*

4] *The learned counsel for the applicant submits that the applicant has not committed alleged offence and he is falsely roped in the alleged crime. There is relation between the applicant and informant. The mobile of the applicant, which is stated to have left in her house, is seized, is gifted by the applicant to the informant. The learned counsel for the applicant produces certain photographs.*

4] The learned counsel for the applicant submits that in terms of the aforesaid order, the applicant has attended the concerned police station and has co-operated with the investigation.

5] No grievance raised by the learned APP as regards co-operation of the applicant in investigation.

6] The learned APP submits that in this case *prima facie* the applicant is involved in the alleged crime,

therefore, interim protection granted by this Court may not be confirmed.

7] Considering that there is consensual relation between the applicant and the informant, certain photographs were produced before this Court and considering that the mobile of the applicant, which is stated to have left in her house, is seized, is gifted by the applicant to the informant. In view of the same, interim protection granted by order dated 10.01.2025 stands confirmed, in the following terms :

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

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

8] In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

9] 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.

10] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC