



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

39 ANTICIPATORY BAIL APPLICATION NO. 2148 OF 2024

**GORAKH SANJAY JODHALE @ GAURAV SANJAY JONDHALE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Joslyn A, Menezes
APP for Respondent/State: Mr. B. B. Bhise

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CORAM : ARUN R. PEDNEKER, J.
DATE : 03.02.2025

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.367/2024, dated 09.10.2024, registered at Deopur Police Station, District Dhule, for the offences punishable under Sections 309(6), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3] This court by interim order dated 16.12.2024 granted interim protection qua the applicant considering the facts, submissions and the reasons given in paras 3, 4 and 5, as under:

“3] In the instant case it is the case against the applicant that the applicant had asked for Rs. 500/-. On refusal to give the money the applicant along with other three assaulted the shop owner with rock,

motorcycle shockups and iron fighter and snatched Rs.20,000/- from his pocket.

4] The learned counsel appearing for the applicant submits that the complaint is exaggerated for the reason that there is no corresponding single injury on the complainant. So also he submits that it is unlikely that the complainant would have rs. 20 thousand in his pocket. The complaint of theft is only made for invoking the additional non-bailable section.

5] From the perusal of the order of the learned Sessions Court, Dhule there is no reference to any injury on the complainant.”

4] The learned counsel for the applicant submits that in pursuance of the interim order, the applicant has cooperated with the investigation. The learned APP does not dispute this factual assertion of cooperation. Considering the same, the interim protection granted earlier to the applicant deserves to be confirmed.

5] In view of the above, the interim protection granted by order dated 16.12.2024 stands confirmed, on the following terms:

i] The applicant shall attend the 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.

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

7] 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.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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