



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

954 ANTICIPATORY BAIL APPLICATION NO. 2187 OF 2024

1. SAMBHAJI ANNASAHEB PATARE
2. RUSHIKESH@ BANDU PANDURANG PATARE
3. PANDURANG ANNA PATARE
4. PRASHANT @ PRASAD PANDURANG PATARE
5. VAIBHAV SANTOSH GANDE .. Applicants

VERSUS

THE STATE OF MAHARASHTRA .. Respondent

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Advocate for Applicant :

Mr. Rajendra Sampatrao Sadaphule

APP for Respondent/State: Mr. R. S. Wani

Advocate for Complainant / Informant :

Mr. P. P. Khandagale Patil

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CORAM : ARUN R. PEDNEKER, J.

DATE : 28.01.2025

P.C. :

1. Heard learned counsel for the applicants, the learned APP for the respondent-State and the learned counsel for the complainant / informant.

2. The applicants are apprehending arrest in connection with Crime No.1090/2024, registered at Newasa Police Station, District Ahmednagar, for the offences punishable under Sections 115(2), 118(1), 118(2), 189(2),

191(2), 191(3), 190, 352, 351(2), 351(3) of the Bhartiya Nyay Sanhita, 2023.

3. Mr. P. P. Khandagale Patil, learned counsel tendered across the bar Affidavit-in-reply on behalf of the complainant / informant. The same is taken on record.

4. This court by order dated 03.01.2025 granted interim protection to the applicants for the reasons mentioned in the said order.

The learned counsel for the applicants submits that the applicants have attended the concerned police station and cooperated with the investigation in pursuance of the order passed by this court.

The learned APP has not disputed this particular aspect. However, he submits that the applicants were the assailants and, although, this is a fight between two families, the applicants have assaulted the informant and that the protection may not be granted to the applicants.

The learned counsel appearing for the complainant / informant submits that the applicants may not be granted protection as there is possibility of fight between the two family members.

5. Considering the submissions above, this is a conflict between two families possibly arising due to relations between the boy and the girl from different

families and the conflict is still continuing. Considering the nature of allegations, although, the conflict has arisen out of the relations between boy and girl, the injuries sustained are simple in nature. Considering the same, the interim protection granted to the applicants deserves to be confirmed.

6. In view of the above, the interim protection granted by order dated 03.01.2025 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.
- iv] The applicants shall not enter the village Ghogargaon, Taluka Newasa, District Ahmednagar till the filing of the charge-sheet.

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 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]
JUDGE

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