



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

968 ANTICIPATORY BAIL APPLN. NO.2199 OF 2024

MAROTI LAXMAN SAMBOD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr.S.R.Bagal
APP for Respondent-State : Mr.Ruchir S. Wani

...

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. 0401/2024, registered with Umri Police Station, District Nanded, for the offence punishable under Sections 118 (2), 115 (2), 352, 351 (2), 351 (3) of B.N.S.

3] This Court, by order dated 27.12.2024, has granted interim protection in favour of the applicant by noting the facts and reasons in para nos. 3, 4, 5 and 6 as noted below :

3. Learned counsel for the applicant submits that the applicant/accused is a teacher by profession and is presently serving at

Z.P.School, Ijjatgaon Abadi, Tq. Umbri, Dist. Nanded. There are no criminal antecedents. The complainant and accused are real brothers. The complainant has lodged report dated 06.12.2024, alleging that, on 06.11.2024, at around 05.30 p.m., when he came to his house with cotton bags, at that time, the applicant came near him and questioned him for using pipes of sprinklers without permission and on that count, the accused abused him and assaulted him by means of bamboo stick on his back, waist and stomach and caused serious injuries.

4. On the basis of report dated 06.12.2024, with respect to incidence of 06.11.2024, the offence came to be registered against the applicant. The applicant is apprehending arrest. It is submitted that there is no need of custody of the applicant and in the event of his arrest, the applicant's entire career will be spoiled.

5. Learned APP has opposed the application by pointing out that the nature of offence is serious and the medico legal certificate as referred by the learned Additional Sessions Judge, Bhokar in his order dated 19.12.2024, rejecting the application also discloses that, there are serious grievous injuries.

6. A perusal of FIR reveals that the alleged incidence is of 06.11.2024 and the FIR is lodged after one month i.e. on 06.12.2024. There is no convincing reason as reflected in the report for this delay. In view of the fact that the applicant is working as a teacher and there are no criminal antecedents, the applicant deserves interim protection. Hence, the order.

4] The learned counsel for the applicant submits that in terms of the order dated 27.12.2024, the applicant has attended the concerned police station and has co-operated with the investigation. There is no recovery at the instance of the applicant. Further interrogation of the applicant is not required.

5] Considering that the applicant is working as teacher and that there is delay in lodging the FIR, the interim protection granted by this Court by order dated 27.12.2024 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.

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

DDC