



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

947 ANTICIPATORY BAIL APPLICATION NO. 2045 OF 2023

GAJANAN DIGAMBER DHUMAL

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant :

Mr. D. S. Patil h/f. Mr. Shailendra S. Gangakhedkar

APP for Respondent/State: Mr. G. O. Wattamwar

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 11.03.2025

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.0269/2023, dated 07.08.2023, registered at Vimantal Police Station, District Nanded, for the offences punishable under Sections 307, 323, 336, 143, 147, 148, 149, 504, 506, 324 of the Indian Penal Code, Sections 4, 25 of the Arms Act & Section 7 of Criminal law Amendment Act, 2013.

3] This court by order dated 15.12.2023 granted interim protection to the applicant considering the submissions at para no.3, as under:

“3. Learned counsel for the applicant by referring to the First Information Report states that there is no allegation of any overt act committed by the present applicant in the alleged crime. In view of this fact, liberty of the applicant is protected till prosecution is heard in the matter. Hence order :...”

4] The learned APP has produced the injury certificate, which shows several injuries on the victim - Rohit.

The learned APP further submits that *Khanjar* and the motorcycle is yet to be recovered in the matter.

5] The learned counsel for the applicant submits that the main accused, who has caused simple injury is arrested and released on bail.

6] The main accused is arrested and has been granted bail. The applicant has not assaulted the informant. The recovery, which the learned APP pointed out, may not be possible to be recovered at the instance of the present applicant.

7] Considering this aspect of the matter and that investigation is nearing completion, interim protection granted earlier can be confirmed.

8] In view of the above, the interim protection granted by order dated 15.12.2023 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.

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

10] 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.

11] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE