



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

922 ANTICIPATORY BAIL APPLICATION NO. 430 OF 2025

1. Baban Rama Walekar,
2. Tatyaram Baban Walekar,
3. Pandurang Bhau Khatal. ...Applicants.

Versus

1. The State of Maharashtra,
Through Police Inspector,
Mirajgaon Police Station,
Tq. Karjat, Dist. Ahmednagar.
2. The Superintendent of Police,
Ahmednagar – 414001. ...Respondents.

...

Mr. Omprakash D. Mane, Advocate for Applicants.
Mr. B. B. Bhise, APP for Respondent Nos.1 and 2-State.

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 09.04.2025

P.C.:-

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

2] The applicant has approached this Court apprehending arrest in connection with FIR No.0394 of 2023 dated 24th December 2023 registered with Mirajgaon Police Station, Taluka karjat, District Ahmednagar for the offences punishable under sections 307, 327, 324, 504, 506, 143, 147, 148 and 149 of the Indian Penal Code.

3] The learned counsel for the Applicant No.1 seeks leave to

withdraw the anticipatory bail application. Accused No.2 is Applicant No.1 in the application. The application is dismissed as withdrawn.

4] The learned counsel for the Applicant submits in the cross FIR, this Court by order dated 13th February 2025 in Anticipatory Bail Application No.318 of 2024 has granted anticipatory bail. He relies upon the observations of this Court in paragraph Nos.5 and 6 in the order dated 13th February 2025, which reads as under:-

“5. The learned APP also produced injury certificate of the informant, which shows that the informant sustained various injuries which are simple in nature.

6. Considering the fact that it has been the fight between the two groups and cross FI.Rs. are filed against each other and considering that the persons from both the sides sustained injuries during incident and at this stage, it is not possible to ascertain who are the aggressors and in view of the same, relief of anticipatory bail can be granted in favour of all the applicants.”

5] Considering the cross FIR, this Court has granted anticipatory bail to the persons and considering that both the parties have sustained injuries and their family members and the grievous injuries caused at the instance of Applicant No.1 (Accused No.2) and his application has been dismissed as withdrawn. Applicant Nos.2 and 3 is alleged to have caused simple injuries on account of assault.

6] Considering the same, anticipatory bail is granted to the Applicant Nos.2 and 3.

7] In the meanwhile, there shall be interim order in the following terms :-

- A] Till the next date, in the event the Applicant Nos.2 and 3 are arrested in connection with FIR No.0394 of 2023 dated 24th December 2023 registered with Mirajgaon Police Station, Taluka karjat, District Ahmednagar, the Applicant Nos.2 and 3 shall be released on bail on furnishing PR bond of Rs.15,000/- with one or two sureties in the like amount.
- B] The Applicant Nos.2 and 3 shall remain present before the investigating officer on 15th April 2025 and 16th April 2025 between 10.30 a.m. and 01.00 p.m. and thereafter as and when required by the investigating officer.
- C] The Applicant Nos.2 and 3 shall co-operate with the investigation, including producing all documents in his possession, as may be demanded by the investigating officer.
- D] The Applicant Nos.2 and 3 shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.
- 8] Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.
- 9] List on 28th April 2025. Interim protection granted today to continue till the next date only.

(ARUN R. PEDNEKER)
JUDGE