IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

53 ANTICIPATORY BAIL APPLICATION NO. 466 OF 2025

PRASHANT BALBHIM PATHARE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
...
Advocate for Applicant : Mr. Sachin Subhash Panale
APP for Respondent/State: Mr. G. O. Wattamwar
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 05.05.2025

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.202/2025, registered at Shrigonda Police Station, District Ahilyanagar, for the offences punishable under Sections 336(3), 3(5) of the B.N.S.; Section 14 of Foreigners Act, 1946; Sections 3(a), 6(a) of the Passport (Entry into India) Rules, 1950; Section 3(1) of Foreigners Order, 1948.

3] This court by order dated 02.04.2025 granted interim protection to the applicant noticing submissions at paragraphs no.3 and 4, as under:

> *"3] The learned counsel for the applicant submits that the applicant is a student aged 21*

years pursuing his engineering course. The father of the applicant died in the year 2017. Thereafter, he with the aid of the Manager has been running the hotel. It is the Manager of the hotel, who is involved in the day to day business of the hotel. The customers of the hotel had government documents i.e. Aadhaar Cards and PAN cards and, thus, the manager possibly has no occasion to doubt the same and has given the accommodation to the foreigners, who were not holding valid identity cards and the Manager possibly has believed them to be Indians on the basis of the Aadhaar Card and PAN card. The learned counsel further submits that the applicant has absolutely no role in preparation of the fabricated documents in favour of the concerned persons.

4] Considering the above submissions, until the learned APP is heard in the matter on the next date, interim protection can be granted."

4] The learned counsel for the applicant submits that thereafter the applicant was called for investigation by the Investigating Officer and has attended the concerned police station.

5] Considering the above and that no adverse material is found against the applicant, the interim protection can be confirmed.

6] In view of the above, the interim protection granted by order dated 02.04.2025 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.

7] In the event, the applicant violates 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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