

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram,	Court's or Judge's orders.
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CRIMINAL APPLICATION NO. 685 OF 2015

BALAJI S/O KRISHNA RATHOD & ANR
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Shinde Ganesh P.
APP for Respondent: Mr. A. V. Deshmukh.

CORAM: T. V. NALAWADE, J.
DATED: 24th FEBRUARY, 2015.

PER COURT:

1. The application is filed for relief of anticipatory bail.
2. Both the sides are heard.
3. This Court has perused the papers of investigation.
4. The crime is registered on the basis of report given by report given by one Kaniram Rathod. He has made allegations that he had quarrel with wife of one Krushna Rathod over the use of common Bandh of the lands on the date of the incident at about 04.00 p.m.
5. According to him, in the night time, after 10.00 p.m., the husband of the lady namely Krushna Rathod came with his associates to his house and Krushna broke open the door of his house. He has made allegations that one Balaji, son of

Krushna, was in his company and other persons like Balaji Rathod, Ravi Chavan and Pintu @ Chintu were in the company of Krushna. He has made allegations that Krushna gave fist and kick blows. There are allegations against Balaji Rathod that he assaulted others by kicks and fist. Injury certificates show that the complainant sustained grievous injury. There was injury splenic and there was internal bleeding and 1-1/2 liter blood Was found in haemaperitonic. Learned counsel for the applicant submits that even if the allegations are accepted as they are, they had not played active role in assaulting the complainant and they did not cause so called grievous injury. It appears that the complainant had quarreled with the wife of Krushna and due to that this incident took place. This Court holds that protection needs to be given to the applicants.

6. Application is allowed. Interim relief granted in favour of Applicant No.2 is confirmed. In same terms, the relief is granted in favour of Applicant No.1 Balaji Rathod. They are to attend the concerned police station for a period of one month on every Sunday between 09.00 a.m. and 12.00 p.m. and cooperate the police during investigation.

[T. V. NALAWADE, J.]

Dt.24/02/2015
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