

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
CRIMINAL APPELLATE JURISDICTION.**

Criminal Application No.936 Of 2015.

MANAJI S/O BAJIRAO MISAL AND ORS.

VERSUS

THE STATE Of MAHARASHTRA.

Appearance =>

Mr. S.S. Thombare, Advocate for the Applicants.

Mr. M.M. Nerlikar, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. DESHPANDE, J.

DATE : 23rd MARCH, 2015.

Per Court :-

Present Criminal Application is filed by the applicants for grant of anticipatory bail, since they are apprehending their arrest in connection with CR No. I 13/15 registered with Police Station, Shillegaon, Tal. Gangapur, Dist. Aurangabad for the offences punishable U/Section.s. 353, 332, 323, 504, 506 read with 34 of the Indian Penal Code, 1860.

[2] Heard Mr. S.S. Thombare, learned counsel for the Applicants and Mr. M.M. Nerlikar, learned Additional Public Prosecutor for the State.

[3] The learned Additional Public Prosecutor is unable to point out any order from the superior of the First Informant directing him to attend the Primary Health Center, Lasur. In the said backdrop,

contention of the learned counsel for the applicants gets substantiated that when the applicants alongwith injured, who suffered injuries in the accident had been to the Primary Health Center found that the Doctor was not present and some other person was present and, therefore, he raised the question as to why the Medical Officer is not present. Present Applicant No.1 being member of Zilla Parishad, was within his right to raise concern about the non presence of the authorized person discharging duty as Medical Officer.

[4] Though the First Informant is Doctor however, in absence of any specific order from his superior, I am of the considered view that the present applicants have made out a case for grant of anticipatory bail in their favour.

[5] In that view of the matter, order passed by this Court [Coram : T.V. Nalawade, J.] dated 23rd February, 2015 granting anticipatory bail in favour of the present applicants needs to be confirmed and accordingly it is confirmed.

[6] Since the applicants have already attended the Police Station, in that view, they need not to attend the Police Station. However, they shall co-operate with the Investigating Officer. With this, Criminal Application is disposed of.

(V.M. DESHPANDE, J.)