

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

CRIMINAL APPLICATION NO. 1863 OF 2015

Dnyaneshwar s/o Yadav Ghanwat

.... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. A.K.Bhosale, Advocate for Applicant.

Mrs.V.A.Shinde, A.P.P. for Resp. – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 21st APRIL, 2015

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PER COURT :

1. By the present application, applicant is seeking anticipatory bail, since he is apprehending his arrest in connection with Crime No. 31/2015 registered with Bhokardan police station, Dist. Jalna for the offences punishable u/s 307,143,147,148,149 of the Indian Penal Code and u/s 135 of the Bombay Police Act.

2. Heard Mr. A.K.Bhosale, learned counsel for the applicant and Mrs. V.A.Shinde, learned A.P.P. for respondent – State.

3. First Information Report [for short, ‘ F.I.R.’] is lodged on 12/03/2015 by Ganesh Manikrao Borade in respect

of the occurrence dated 11/03/2015. Perusal of the F.I.R. shows that first informant was assaulted on his head by iron Kawacha by Gajananand Mahadu and Ishwar assaulted by means of iron rod. F.I.R. further states that when his mother Kamlabai tried to intervene the matter, that time co-accused Ganesh gave kick blow on her abdomen. That time, cousin of the first informant viz. Sunil was assaulted by the present applicant and others by means of stick. F.I.R. further proceeds that his other brother Ishwar was also assaulted by axe by accused Satish.

4. Thus, from the F.I.R., it is clear, in so far as present applicant is concerned, that he has given stick blow to Sunil. Injury certificate of Sunil shows only laceration.

5. Looking to the nature of the accusations made against the present applicant and looking to the fact that only laceration is appearing on the person of Sunil, applicant is entitled for anticipatory bail.

6. Hence, I pass the following order :

(i) Present Criminal Application is hereby allowed.

(ii) In the event of arrest, in connection with Crime No. 31/2015 registered with Bhokardan police station, Dist. Jalna for the offences punishable u/s 307,143,147,148,149 of the Indian Penal Code and u/s 135 of the Bombay

Police Act, applicant Dnyaneshwar s/o Yadav Ghanwat be released on anticipatory bail on he executing P.R. Bond of Rs. 5,000/- [Rupees Five Thousand] with one solvent surety of like amount.

(iii) Present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]