

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

Criminal Application No.2494 Of 2015.

Rajendra Baburao Savale.

Versus.

The State of Maharashtra & Ors.

Appearance =>

Ms. Nima Suryawanshi, Advocate for the Applicant.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 24th June, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of anticipatory bail, since he is apprehending his arrest in connection with CR No.62/2015 registered with Police Station, Shirpur District - Dhule for the offences punishable under Section/s. 395, 307, 143, 148, 149, 341, 336, 324, 323, 504, 506 of the Indian Penal Code.

[2] Heard Ms. Nima Suryawanshi, learned counsel for the Applicant and Mrs. Pratibha Bharad, learned Additional Public Prosecutor for the State.

[3] First Information Report is lodged by Vikas Hari Marathe. As per the First Information Report, on 14th March, 2015, cousin of

first informant namely Bhupesh Dilip Marathe had been to the school at village Bhatane for dropping his sister for Xth Std. examination. That time, one Nitesh Dilip sonawane, who was already standing there, uttered abusive words to Bhupesh; however, since on that day, there was examination of his sister, Bhupesh did not pay any heed to such abuses. Thereafter, Bhupesh started to return to village Warul that time, Nileshe also chased him on his motorcycle. Thereafter, he assaulted Bhupesh by fist and kick blows.

[4] First Information Report further states that, when the first informant was returning to his house from his agricultural field at about 10.30 a.m. to 11.00 a.m., that time, present Applicant Rajendra and others came near their house and started using abusive words. First Information Report then states that, Ravindra Ighan Savale gave sickle blow on the neck of Bhupesh. However, Bhupesh saved the said blow of sickle however, resulting into injury on his back. That time, accused Nitesh Dilip Sonawane gave blow of iron bar to Bhupesh. When first informant tried to rescue Bhupesh, that time, he was assaulted by Milind Rajendra Savale. That time, Ravindra Savale snatched gold chain of first informant.

[5] Allegations are that, thereafter, present Applicant and others gave fist and kick blows. These are the only allegations against the present Applicant – Rajendra.

[6] Looking to the such nature of accusation made in the First Information Report, custodial presence of the present Applicant is not at all required. Hence, I pass the following Order :-

ORDER

- (i) Criminal Application is allowed.
- (ii) Interim order dated 15th June, 2015 passed by this court stands confirmed.
- (iii) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)