

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

913 CRIMINAL APPLICATION NO. 4123 OF 2016

BABLU S/O BANSI SURYAWANSHI

VERSUS

THE STATE OF MAHARASHTRA

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Mr. N.V.Gaware, Advocate for Applicant.

Mr. S.B.Yawalkar, A.P.P. for Resp. – State.

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CORAM : A.M.BADAR, J.

DATE : 18th AUGUST, 2016

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PER COURT :

1. Heard learned counsel for the applicant/accused. He argued that the applicant had no motive to commit the crime in question. There is cross F.I.R. and the applicant is falsely implicated in the crime in question. Learned counsel further argued that Pandu Athawale is already arrested and released on bail.

2. Learned A.P.P. opposed the application.

3. Perused the case diary. The crime in question is registered on the basis of the report lodged by Yogesh Shirsath. F.I.R. reveals that accused persons by forming an unlawful assembly, armed with deadly weapons, committed house trespass and assaulted the members of the prosecuting party. F.I.R. reveals that present applicant was holding sword and he had assaulted Sanjay Shirsath by means of it. It is further averred that house of the informant was ransack.

4. There are eye witnesses to the incident in question. Spot panchanama corroborates the version of the informant. Injury certificates of the members of the prosecuting party also show that they were assaulted.

5. Considering the nature of the crime in question and the manner in which it was committed, no case for anticipatory bail is made out. Hence, the application is rejected.

[A.M.BADAR, J.]