

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

CRIMINAL APPLICATION NO. 1409 OF 2017

1. Tushar Nagesh Salve .. Applicants
Age. 20 years, Occ. Student,
R/o. Vishnu Nagar, Jawahar Colony,
Aurangabad.
2. Pradeep Vinayak Mhaske
Age. 22 years, Occ. Student,
R/o. Balaji Nagar, A-84,
Nathnagar, Arihant Nagar,
Aurangabad.

Versus

The State of Maharashtra & Anr. .. Respondents

Mr.A.K. Bhosale, Advocate for the applicants.
Mr.A.A. Jagatkar, A.P.P. for respondent/State.

CORAM : T.V. NALAWADE, J.
DATED : 04.05.2017

P.C. :-

1. The application is filed for the relief of anticipatory bail. Both the sides are heard. The papers of investigation were made available for perusal.

2. The crime is registered on the basis of report given by Sandip Dahale in respect of incident dated 18.01.2017. The F.I.R. Shows that he has made specific allegation again Shaikh Hafiz that he has given blow of

sword. Though he has made allegation that present applicants Tushar and Pradeep have come with Shaikh Hafiz, but there is no allegation that they assaulted him. Today learned A.P.P. has shown to this Court some photographs taken from CC TV footage. Learned A.P.P. submitted that in the photographs accused Pradeep can be seen. There are some more persons standing and it can be said that all the five persons are standing near auto-rickshaw as spectators. No stick can be seen in the hands of Pradeep. In the photographs obtained from CC TV footage, Tushar is not seen. This Court has already granted interim relief to the applicants. In view of the record of the photographs, this Court holds that protection needs to be given to the applicants.

3. In the result, the application is allowed. The interim relief granted in favour of the applicants on 16.03.2017 is confirmed.

4. The applicants are to attend the concerned Police Station for one month between 09.00 a.m. to 12.00 noon and co-operate in the investigation.

[T.V. NALAWADE, J.]