

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

CRIMINAL APPLICATION NO. 1823 OF 2017

Nanasaheb Baban Jagtap .. Applicant

Versus

The State of Maharashtra .. Respondent

Mr.R.B. Narvade Patil, Advocate for the applicant.

Mr.A.R. Borulkar, A.P.P. for respondent/State.

CORAM : T.V. NALAWADE, J.

DATED : 21.04.2017

P.C. :-

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

2. The crime is registered on the basis of report given by Narayan Jadhav, who is aged about 62 years. He is retired police constable. According to him the incident is dated 19.03.2017. When the quarrel took place with one Himmatrao, he called other persons like present applicant to teach lesson to the complainant and they came there with iron chains and they hit chain on the head of the complainant and he sustained bleeding injury. The complainant has specifically named present applicant as one of the assailants, who had come there.

The complainant has made allegation that all of them participated in the assault and attempt to finish the life of complainant was made. The certificate issued by Savangikar Hospital is produced to show that the injury on the head was of size 1x6 cm and stitches were required to be given to the injury. In view of these circumstances and as the injury was inflicted on the head, this Court holds that no protection can be given to the applicant, when the person who was assaulted is aged about 62 years. The custodial interrogation of the applicant is must.

3. In the result, the application stands rejected.

[T.V. NALAWADE, J.]