

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

CRIMINAL APPLICATION NO. 2192 OF 2017

Shri Rajendra Walchand Shinde ... **Applicant**
Age 53 years, Occu: Business, R/o
Mohadi Taluka and Dist. Dhule

VERSUS

The State of Maharashtra, ... **Respondent**
Through the Superintendent of
Police, Dhule, Dist. Dhule

Mr. Mukul S. Kulkarni, Advocate for the applicant
Mr. K. N. Lokhande, APP for the State.

CORAM : K. L. WADANE, J.

DATE : 7th June, 2017

ORDER:

1. Heard Mr. Kulkarni, learned counsel for the applicant and Mr. Lokhande, learned APP for the State.

2. Present Criminal Application is filed under section 438 of the Code of Criminal Procedure for grant of anticipatory bail in connection with Crime No. 24/2017, registered with Mohadinagar Police Station, Dist. Dhule for the offences punishable under sections 307, 143, 147, 148, 149 and 506 of the Indian Penal Code, 1860.

3. Allegation against the applicant is that the present applicant alongwith other accused persons reached at the spot of incident by travelling in jeep

and some other accused persons on motorcycle. The present applicant assaulted the informant and the witnesses with the help of sharp instrument as well as wooden stick. On perusal of papers of investigation, it appears that main allegations are against the present applicant about assault.

4. Mr. Kulkarni, the learned advocate appearing for the applicant argued that there was rivalry between two political groups and the present crime is the outcome of the rivalry. There are no specific allegations against the present applicant and therefore the applicant is entitled for anticipatory bail. As against this, the learned APP states that there is direct evidence against the present applicant and other accused persons about the assault and offences levelled against them.

5. I have perused the contents of the F.I.R. as well as the statements of one Bhushan Patil and Pradip Nana Gawade. From the statements of these witnesses, it appears that the present applicant assaulted the informant and the witnesses and particularly, the present applicant has snatched an amount of Rs.13,500/- from the pocket of witness Pradip Gawade.

6. Investigation of the crime is in progress. In view of the specific allegations against the applicant, I am of the opinion that custody of the applicant is needed for the purpose of further investigation. Considering the nature of accusation and the crime, I am of the opinion that the applicant is not entitled for the relief of anticipatory bail. Hence the criminal application is rejected.

(K. L. WADANE, J.)

JPC