

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

CRIMINAL APPLICATION NO.2523 OF 2017

Rahul Dagdu Gaikwad **... Applicant**
Age: 24 years, Occu: Education,
R/o Subhash Colony, Beed,
Tq. & Dist. Beed.

VERSUS

The State of Maharashtra **... Respondent**
Through P.I., Police Station
Peth, Beed, Dist. Beed.

Mr. Gulabrao K. Salve, Advocate for the applicant
Mr. S. B. Joshi, APP for the State.

CORAM : K. L. WADANE, J.

DATE : 8th June, 2017

ORDER:

1. Heard Mr. Salve, the learned counsel for the applicant and Mr. Joshi, the learned APP for the State.
2. Present Criminal Application is filed for grant of anticipatory bail in connection with Crime No. 111/2017 registered with Peth Police Station, Beed for the offences punishable under sections 326, 324, 143, 147, 148, 149, 504, 506 of the Indian Penal Code, 1860.
3. One Akshay Khobragade lodged a complaint with Peth Police Station Beed alleging that on 04.04.2017, he and his friend Samsher were going for lunch. At that time, present applicant and other 4 accused persons

came there. At that time, co-accused Akshay Gaikwad assaulted his friend Samsher by means of sword and the present applicant and other accused persons namely Sager Zende, Akash Gaikwad and other 2/3 persons have assaulted the complainant and his friend by means of kick and fist blows.

4. Allegation against the present applicant is of assault by kicks and fist blows, which is vague and general in nature. Even accepting the statement of the informant as it is, no specific role is attributed to the present applicant in reference to the assault to the applicant or his friend. Statement of two witnesses are of similar nature. Therefore, question of recovery of weapon at the hands of the present applicant does not arise nor custodial interrogation of the applicant is needed. In such circumstance, the applicant can be enlarged on pre-arrest bail by putting certain conditions. Hence following order:

O R D E R

- i. In the event of arrest of the applicant in connection with Crime No. 111/2017 registered with Peth Police Station, Beed, he shall be released on bail on his executing P.R. Bond of

Rs. 25,000/- [Rs. Twenty five thousand only]
with one solvent surety in the like amount.

ii.The applicant shall not tamper with the
prosecution evidence in any manner.

iii.The applicant shall attend Peth Police Station,
Beed once in a week i.e. on every Sunday between
12.00 noon to 2.00 p.m, till filing of the charge
sheet.

5. Criminal application is disposed of.

6. Parties to act upon authenticated copy of the
order.

(K. L. WADANE, J.)

JPC