

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

**CRIMINAL APPLICATION NO. 2524 OF 2017**

Machhindra Bhavlal Jadhav  
and another

... Applicants

VERSUS

The State of Maharashtra

... Respondent

.....

Mr. A.S.Savale, advocate for the applicants  
Mr. K.N.Lokhande, A.P.P for respondent

.....

**CORAM : K.L.WADANE, J.**

**DATED : 13th JUNE, 2017**

**O R D E R :**

Heard learned counsel for the applicants  
and learned A.P.P. for respondent/State.

2. This is an application filed under the provisions of Section 438 of the Criminal Procedure Code in connection with Crime No. 72 of 2017 registered with Dhule Taluka police station, District Dhule on 9.3.2017 for the offences punishable under Sections 307, 143, 147, 148, 149, 325, 323, 504, 506 of the Indian Penal Code.

3. Informant Jijabai Mamraj Jadhav lodged complaint with police station Dhule Taluka on

9.3.2017 alleging that on 8.3.2017 at 6.30 p.m. her uncle and his sons Rahul, Santosh and Machhindra started removing the wooden logs from the cattle shed. On inquiry, present applicants namely Machhindra and Rameshwar along with other accused formed unlawful assembly and abused the complainant. Accused Machhindra was armed with spader and accused Rameshwar and Dnyaneshwar were armed with lathis. Further it is alleged that accused Machhindra assaulted Rajesh with spader on his right leg and therefore all the applicants have committed offence as stated above.

4. Perused the statements of witnesses namely Mamraj Bhoma Jadhav, Malibai Mamraj Jadhav and Pappu @ Prashant Barku Bhamre (Patil). From the statements of these witnesses, it appears that presence of the present applicants is very well there on the spot of incident. All the witnesses have stated specific act of the present applicant.

5. Considering the nature of offence and the fact that in the incident injured witnesses Rajesh Jadhav and Sanjay Jadhav have received multiple

injuries that too on vital parts of their body.

6. There is counter complaint against the complainant and other witnesses. In view of counter complaint there is no scope to infer that the present applicants have been falsely implicated in the crime.

7. In view of the above, the applicants are not entitled for anticipatory bail. Therefore, Criminal Application is rejected.

**(K.L.WADANE, J.)**

dbm/crap2524.17