

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2977 OF 2017

Dagdu Duryodhan Kedari, Age 38 **Applicant.**
years, Occ. Business, R/o.
Vankute, Parner, Tq. Parner,
District Ahmednagar.

V E R S U S

The State of Maharashtra, **Respondent.**
Through [Police Station Officer,
Parner, Police Station, Dist.
Ahmednagar.

Mr. N. V. Gaware, Advocate for the Applicant
Mr. K. N. Lokhande, A.P.P. for the respondent/State

CORAM : K.L. WADANE, J.

DATE : 27th JUNE, 2017

ORDER :

1. Present application is filed under the provisions of section 438 of the Code of Criminal Procedure in connection with Crime No. 64/2017 registered with Parner Police Station District Ahmednagar for the offences punishable under section 326, 323, 147, 148, 149 of the Indian Penal Code.

2. On 10.04.2017 one Ambadas Salve lodged first information report alleging that, in village fair, son of applicant was assaulted by some unknown persons and on account of suspicion, applicant and others

assaulted informant, his wife, son and others.

3. Heard Mr. Gaware learned counsel for the applicant and Mr. Lokhande, learned APP for the State.

2. The police papers of investigation are made available. On perusal of the contents of the first information report as well as the statement of the witnesses, it appears that, there are specific allegations against the present applicant, who assaulted the informant with the help of iron rod on his head. This exactly supported by the medical evidence i.e. the injury certificate. It appears that, there was C.L.W. 4 x 3 x 2 cm over right fronto parietal region of head. Thus, in view of the specific allegations against the present applicant supported with medical evidence, I am of the opinion, the, applicant is not entitled for anticipatory bail. Hence, following order :

ORDER.

Application is rejected.

(K.L. WADANE, J.)

mkd/-