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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**ANTICIPATORY BAIL APPLICATION NO. 1612 OF 2017**

Bapu @ Amar Vasant Dhende

**... Applicant**

**V/s.**

The State of Maharashtra

**... Respondent**

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Mr. S.Venkateshwar for the Applicant.

Mr. S.S. Hulke, APP for the Respondent/State.

Mr. Kedar Patil for Respondent No.2.

**CORAM : A.S.GADKARI, J.**

**DATE : 24<sup>th</sup> NOVEMBER 2017**

**P.C.:**

1] The applicant was granted interim relief by an Order dated 14.09.2017 and by subsequent Order dated 14.11.2017, was directed to attend the Investigating Officer on stipulated dates and to join the process of investigation. The learned APP on instructions submitted that the applicant has complied with the aforesaid Orders.

2] Perused the record.

The first information report is lodged by Shri Balbhim S. Pote alleging that due to earlier enmity over digging of a well in the agricultural

field Rajesh Bhosale and other accused persons including applicant assaulted the first informant on 9.5.2017 at about 2.00 p.m. As far as the applicant is concerned, it is alleged that he was the member of unlawful assembly and participated in the said assault. The record indicates that, apart from a general statement/allegation against the applicant by the first informant and other witnesses, no overt-act is attributed to him.

3] After perusing the record, this Court is of the view that, custodial interrogation of the applicant for further investigation of present crime is not necessary.

In view thereof, the interim relief granted by an Order dated 14<sup>th</sup> September 2017 is confirmed. However, the condition to attend the Investigating Officer is waived.

4] Application is allowed in the aforesaid terms.

**(A.S.GADKARI, J.)**