

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 905 OF 2018

Dattatraya Bhau Mokashi & ors. ..Applicants
Versus
The State of Maharashtra ...Respondent

Mr. Ashok M. Saraogi, i/b Sushir Kumar S., for the
Applicants.
Mrs. J. S. Lohokare, APP for the State/Respondent.
Mr. R. B. Kedare, Wada Police Station, Palghar.

Santosh
Subhash
Kulkarni

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CORAM: A. S. GADKARI, J
DATED: 11th JULY, 2018

PC:-

1. The applicants were granted interim relief by an Order dated 2nd May, 2018.

Heard the learned Counsel for the applicants and the learned APP. Perused the record of investigation.

2. It is alleged that the applicants were having the enmity with the first informant over dispute pertaining to the agricultural fields. That on 6th February, 2018 at about 11.00 am. when the first informant had been to his

farmhouse in the fields, the applicants forcibly administered him poisonous substance. The medical certificate issued by the Medical Officer Class-II, Civil Hospital, Thane, dated 10th August, 2018, mentions that, no poison was administered to the first informant, cannot be accepted. From the perusal of the papers of investigation and other medical record, it is difficult to even remotely infer that as a matter of fact the applicants had administered poison to the first informant.

3. In view thereof, the custodial interrogation of the applicants for further investigation of the present crime is not necessary. Interim relief granted by Order dated 2nd May, 2018, is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

4. Application is accordingly allowed.

[A. S. GADKARI, J.]