

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Criminal Application (ABA) No.479 of 2019
(Nitin Babanrao Mahalle .vs. State of Maharashtra through PSO PS
Yavatmal City, Yavatmal)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders.
and Registrar's orders

Mr. Y.D. Nagpure, Advocate for Applicant
Mr. V.P. Maldhure, APP for Non-applicant/State.

CORAM : Manish Pitale, J.
DATED : July 16, 2019.

Heard learned counsel for the applicant.

2. Since an advance copy of this application was served on the office of the Government Pleader, the learned APP has appeared and opposed grant of anticipatory bail.

3. The incident in question is said to have occurred on 08.05.2018 and the FIR was registered on the next day on 09.05.2018, whereby offence under Section 307 read with 34 of the Indian Penal Code was registered against the applicant and three other accused persons. The allegation against the accused persons is that on the said day at about 4.30 p.m., they assaulted a driver of water tanker in the backdrop of alleged scarcity of supply of water. It is pointed out that the other three accused persons were arrested and thereafter they were enlarged on regular bail. But, it appears that the applicant herein has been evading arrest and he has been absconding since the date of the

incident. A perusal of the FIR shows that the allegation against the applicant is that he assaulted the complainant with a knife, thereby causing injury to the complainant.

4. Considering the fact that there is a specific allegation levelled against the applicant by the complainant and he appears to be absconding since the date of the incident, as also the fact that his anticipatory bail applications were rejected twice by the Sessions Court, this Court is of the opinion that no relief can be granted to the applicant herein.

5. In view of the above, present application is dismissed.

JUDGE

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