

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 946 OF 2020

1. Dnyanoba s/o Vyankati Kendre
occ. Agril.
r/o Umrai, Tq. Ambajogai
Dist. Beed.

2. Sakharam Dashrath Funde
Occ. Agril.,
r/o Umrai, Tq. Ambajogai
Dist. Beed.

Applicants

Versus

State of Maharashtra
Through Officer in-charge
Dharur, Police Station,
Tq. Dharur, Dist. Beed.

Respondent

Mr. N.P. Bangar, Advocate for the applicants.
Mr. N.T. Bhagat, APP for respondent-State.

CORAM : M.G. Sewlikar, J.
VACATION COURT

DATE : 19th November, 2020.

PER COURT :

1. Heard Shri Bangar, learned counsel for the applicants
and Shri Bhagat, learned APP for the State.

2. Applicants are charged with the offence punishable

under Sections 307, 147, 148, 149, 324, 323, 504, 506 read with Section 34 of the Indian Penal Code. It is alleged that the applicants along with other accused, in front of the shop of the informant, started abusing. Applicant No. 2-Sakharam delivered a blow of wooden rod on the eye of the informant. Applicant No. 1-Dnyanoba and accused Arjun tried to strangle the informant by means of a wire. Applicant No. 2 beat the informant by with kicks and fists blows. On these allegations, the First Information Report came to be registered.

3. Shri Bangar, learned counsel for the applicants, submitted that the instant First Information Report has been lodged just to give a counter blow to the First Information Report lodged by the applicants. He argued that all the accused in the other crime registered on this First Information Report have been released on anticipatory bail.

4. On perusal of the investigation papers medical reports it is noticed that the informant had ligature mark around his neck about 33 cm x 1 cm in length and abrasion to right eyebrow. Medical papers show that the informant was breathless and there was

compression of neck by rod. In this view of the matter, I am not inclined to release applicant No. 1 on anticipatory bail. So far as applicant No. 2 is concerned, the injury on the person of the informant was simple in nature. Therefore, no recovery is to be effected from the applicant No. 2. In this view of the matter, following order is passed :

ORDER

1. Application of applicant No. 1-Dnyanoba s/o Vyankati Kendre is rejected.
2. Applicant No. 2-Sakharam Dashrath Funde be released on PR bond of Rs. 15,000/- (Rs. Fifteen Thousand only) with one solvent surety in the like amount, in the event of his arrest in Crime No. 222/2020 registered with Dharur Police Station for the offence punishable under Sections 307, 147, 148, 149, 324, 323, 504, 506 read with Section 34 of the Indian Penal Code, on condition that he shall not interfere in the investigation and shall not pressurise the witnesses.

(M. G. SEWLIKAR)
JUDGE

