

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

916 ANTICIPATORY BAIL APPLICATION NO.311 OF 2021

DADASAHEB UTTAM BHOSALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

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Mr. V.S. Kadam, Advocate holding for
Mr. P.S. Dighe, Advocate for the applicants.
Smt. V.S. Choudhari, A.P.P. for respondent - State.

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CORAM : **PRAKASH D. NAIK, J.**

DATE : 06-10-2021

ORDER :

1. Applicant Nos.2 and 3 are apprehending arrest in CR No.100/2021 registered with Shevgaon Police Station, District Ahmednagar for the offences punishable under Sections 326, 324, 504 read with Section 34 of the Indian Penal Code.
2. Applicant No.1 was arrested during the pendency of this application and his application was disposed of.
3. From the tenor of the First Information Report the role attributed to applicant No.2 is that he assaulted the injured by stick on his leg and applicant No. 3 had hurled abuses at the complainant and others. Applicant No.1, who was arrested, was attributed the role that he assaulted the complainant by iron rod.
4. Learned A.P.P. submits that the corresponding injury quo the role of applicant No.2 is in the nature of trauma.

5. It is pertinent to note that there is a cross case registered from the applicants' side vide CR No. 101/2021 for the offences punishable under Sections 452, 324, 323, 504, 506 read with Section 34 of the Indian Penal Code.

6. Considering the factual matrix of this case, the applicant Nos.2 and 3 need not be subjected to the custodial interrogation and this application can be allowed. Hence, the following order.

ORDER

- (i) ABA No. 311 of 2021 is allowed.
- (ii) In the event of arrest of applicant Nos.2 and 3 in CR No. 100/2021 registered with Shevgaon Police Station, District Ahmednagar, the applicant Nos.2 and 3 be released on bail on executing P.R. bond in the sum of Rs. 25,000/- each with one or more sureties in the lime amount.
- (iii) Applicant Nos.2 and 3 shall report the Investigating Officer on 20th, 21st and 22nd October 2021 between 11.00 a.m. to 1.00 p.m. and thereafter as and when called for, till filing of the charge-sheet.

7. The application is disposed of.

(PRAKASH D. NAIK, J.)