

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 417 OF 2021

Dinesh S/o Anil Narwade,
Age 21 years, Occu. Student
R/o Gyatri Nagar, Latur,
Taluka and District Latur.

... Applicant

Versus

The State of Maharashtra,
Through the Police Officer,
Shivaji Nagar Police Station, Latur
Taluka and District Latur.

... Respondent

...

Mr. P P More, Advocate for applicant.
Mr. N.T. Bhagat, APP for respondent – State

...

CORAM : MANGESH S. PATIL, J.

DATE : 24.06.2021

PER COURT :-

Apprehending arrest in connection with Crime No. 44 of 2021 registered with Shivajinagar Police Station, Latur, District Latur, for the offences punishable under Sections 307, 323, 504 and 506 read with Section 34 of the Indian Penal Code and under Section 135 of the Maharashtra Police Act, the applicant, who is one of the four accused, is seeking bail in the event of his arrest.

2. The allegations are to the effect that the informant runs a shop. The applicant and other accused were standing in front of the shop. Because of the misunderstanding when eyes met, the accused persons started asking him as to why he was looking them whereupon co-accused is stated to have threatened him of dire consequences at the point of knife. He was pushed and pulled. His father and brother rushed to the spot. Even they were threatened by the applicant and co-accused who were carrying iron rods and wooden log. The matter was reported to Police by his brother Dhiraj. When the Police party reached the spot, the accused fled.

3. I have heard learned Advocate for the applicant as well learned APP and perused the papers of investigation.

4. Going by the allegations, even if it is appreciated that the main accused had put a knife on the neck of the informant and though there are vague allegations about some pushing and pulling and giving threats, there is serious doubt as to if all necessary ingredients for constituting the offence of attempt to kill, punishable under Section 307 of the Indian Penal Code would be attracted.

5. Be that as it may the main accused, who is stated to have threatened the informant at the point of knife has been arrested and released on bail.

6. Taking into account the facts and circumstances discussed herein-above, it is a fit case where the applicant deserves to be protected by

way of anticipatory bail.

7. The Application is allowed. In the event of arrest of the applicant, in connection with Crime No. 44 of 2021 registered with Shivajinagar Police Station, Latur, District Latur, for the offences punishable under Sections 307, 323, 504 and 506 read with Section 34 of the Indian Penal Code and under Section 135 of the Maharashtra Police Act, he shall be released on bail on his executing personal recognizance for an amount of Rs.20,000/- (Rs. Twenty Thousands) and furnishing a solvent surety in the like amount subject to following conditions -

- (a) He shall attend the concerned Police Station for three consecutive Mondays starting from 28th June 2021 between 10.00 a.m. to 11.00 a.m
- (b) He shall not tamper the evidence or influence the witnesses.

(MANGESH S. PATIL)
JUDGE

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