

2. Heard learned counsel for the applicant. Perused the First Information Report (F.I.R.) and the related papers. The F.I.R. has been lodged on the same day of the incident.

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It is alleged in the F.I.R. that, at about 1.00 p.m. on 22/3/2021, the informant along with her servant Sachin and friend Dnyaneshwar Teke were in his cloth shop near Panchayat Samiti Office at Vaijapur. Mother of Rana Rajput along with unknown person entered his shop and started abusing him. They enquired about the whereabouts of the informant's elder brother. They even manhandled the informant and dragged him out of the shop. The applicant along with Ravi, Pratap, Amar Rajput (co-accused) and two unknown persons were present outside the shop. All of them beat up the informant with fists and kick blows. The applicant allegedly assaulted the informant on his head with an iron rod. The accused pushed the informant in front of the running vehicle with a view to eliminate him. Fortunately he did not come under the vehicle. Due to the push, the informant suffered multiple injuries. Two police personnel came there. The applicant and the co-accused thereupon fled.

3. The learned A.P.P. would submit that, it is a serious offence. The informant was assaulted on his head. Custodial interrogation is required of the applicant. He, therefore, urged for rejection of the applicant.

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4. Learned counsel for the applicant would submit that, a false F.I.R. has been lodged. The incident has been blown out of proportion. The head injury is said to have been inflicted. He, therefore, urged for grant of the application.

5. The injury certificate indicates the informant to have suffered multiple abrasions. All the injuries were simple in nature. Section 307 of the Indian Penal Code appears to have been invoked since the informant was alleged pushed with a view to bring him under a moving vehicle. The informant alleged suffered a head injury which is also simple in nature. Learned counsel for the applicant has offered the CCTV footage in a pen drive to submit that the informant is seen inflicting a head injury to himself. The hard copies of the screenshots are produced on record. It is crystal clear from the picture that the informant was armed with a piece of tile and inflicting it to himself. It is a self inflicted injury. Considering the aforesaid facts, I am inclined to grant the application.

ORDER

(i) The application is allowed. In the event of arrest of the applicant in connection with Crime No.I-110/2021 registered

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at Vaijapur Police Station, District Aurangabad for the offence punishable under Sections 323, 452, 307, 143, 147, 149, 504 and 506 of the Indian Penal Code, the applicant shall be released on bail on his executing P.R. bond in the sum of Rs.15,000/- (Rupees fifteen thousand) with one surety in the like amount.

(ii) The applicant shall appear before the investigating officer as and when required. The applicant shall not tamper with the prosecution evidence.

**(R. G. AVACHAT)
JUDGE**

fmp/-