

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.445 OF 2021

Omkar Ramesh Gholap

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Shri N.V. Gaware, Advocate for applicant

Shri P.N. Kutti, A.P.P. for respondent – State

.....

CORAM : R. G. AVACHAT, J.
(VACATION COURT)

DATE : 25th MAY, 2021

ORDER :

This is an application for bail under Section 438 of the Code of Criminal Procedure. The applicant has apprehension of arrest in connection with Crime No.192/2021, registered at Kotwali Police Station, Ahmednagar for the offence punishable under Sections 307, 143, 147, 148, 149, 504, 506 of the Indian Penal Code.

2. The First Information Report (F.I.R.) has been lodged by the victim himself. It is alleged in the F.I.R. that, the applicant, his real brother and 10 – 12 unknown persons assaulted the informant on account of his remaining in

company of one "Jan Parera". It is alleged in the F.I.R. that, the applicant assaulted the informant on his head and face with a hammer.

3. The learned A.P.P. would submit that, the informant suffered multiple injuries. It was an attempt on the life of the informant. He, therefore, urged for rejection of the application.

4. The informant filed an affidavit before the Sessions Court at Ahmednagar, in which it has been averred that he suffered injuries due to fall from the motorbike. The affidavit filed by the informant dilutes the allegations in the F.I.R. It appears that, an understanding has been arrived at between the informant and the applicant. With a view to let the peace prevail, I am inclined to grant the application. Hence the order :-

ORDER

(i) The application is allowed.

(ii) In the event of arrest of the applicant in connection with Crime No.192/2021, registered at Kotwali

Police Station, Ahmednagar for the offence punishable under Sections 307, 143, 147, 148, 149, 504, 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.

(iii) 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/-