

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

13 ANTICIPATORY BAIL APPLICATION NO.541 OF 2021

- 1) Akshay s/o Balasaheb Dighe,
Age 19 years, Occ. Education,
 - 2) Sandesh @ Sudesh s/o Bhausaheb Dighe,
Age 19 years, Occ. Agri.,
Both R/o. Chahurvasti, Dhanore,
Tq. Rahuri, Dist. Ahmednagar.
- ...Applicants**

VERSUS

The State of Maharashtra **...Respondent**

WITH

26 ANTICIPATORY BAIL APPLICATION NO.545 OF 2021

Shubham s/o Balasaheb Dighe,
Age 21 years, Occ. Education,
R/o. Chahurvasti, Dhanore,
Tq. Rahuri, Dist. Ahmednagar.

...Applicant

VERSUS

The State of Maharashtra **...Respondent**

...

Mr. Rahul R.Karpe, Counsel for the applicants
Mr. N.T.Bhagat, APP for the respondents-State

...

CORAM : PRAKASH D. NAIK, J.

DATE : 11th OCTOBER, 2021

PER COURT :

1] The applicants in both these applications are apprehending arrest in CR No.0200 of 2021 registered with Rahuri Police Station, Rahuri Dist. Ahmednagar for the offences punishable under Sections 325, 323, 327, 143, 147, 148, 149, 504, 506 and 427 of Indian Penal Code (for short, 'IPC').

2] In the First Information Report (for short, 'FIR') dated 6th March, 2021, it is alleged that the accused were involved in assault. The applicants Akshay Dighe and Sandesh Dighe had allegedly assaulted the complainant by fists blows. The applicant Shubham Dighe had allegedly taken away the gold chain during the scuffle and incident of assault.

3] Learned counsel for the applicants submitted that interim protection was granted to the applicants in both the applications by order dated 28th May, 2021. The allegations are false and fabricated. NC complaint was lodged from the applicants side on 06.03.2021. The applicants had attended the police station and Investigating Officer as and when they were called. There was monetary transaction between both the family members. Suvarna was harassed by the informant and other family members and therefore, the accused, who were close relatives of Suvarna intervened to convince the informant and other family members to give proper treatment to her.

4] Learned APP submitted that investigation is in progress. At the initial point of time, the applicants did not appear before the investigating officer but on instructions it is submitted that subsequently, the applicants have appeared before the Investigating Officer.

5] Considering the nature of allegations and the role attributed to the applicants, the custodial interrogation of the applicants is not necessary.

ORDER

- (i) Anticipatory Bail Application Nos.541 and 545 of 2021 are allowed.
- (ii) Interim order dated 28th May, 2021 is confirmed.
- (iii) In the event of arrest of the applicants in CR No.0200 of 2021 registered with Rahuri Police Station, Tq.Rahuri Dist. Ahmednagar, the applicants be released on bail on their executing PR bond in the sum of Rs.15,000/- each with one or more sureties in the like amount.
- (iv) The applicants shall appear before Investigating Officer as and when required.
- (v) The Applications are disposed of.

(PRAKASH D. NAIK, J.)

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