

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

ANTICIPATORY BAIL APPLICATION NO.589 OF 2021

1] ANGAD KISAN SANGLE
2] SHAHAJI NARHARI KASHID

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Undre Vikram S.
APP for Respondent/State: Mr. V.S. Badakh

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CORAM : MANGESH S. PATIL, J.

DATE : 22.06.2021

PER COURT :

The applicants are seeking bail in the event of arrest in connection with Crime No.226/2021 registered with Jamkhed Police Station District Ahmednagar for the offence punishable under Sections 329, 341, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. It is being alleged that on account of a previous animosity the applicants assaulted the informant resulting in seven stitches to the head. It is also alleged that in the process a gold chain was snatched from around his neck.

3. After hearing the arguments of both the sides and perusing the police papers when this Court expressed its disinclination to grant anticipatory bail to the applicant No.1 his learned advocate on instructions, seeks leave to withdraw the application to his extent.

4. It is a matter of record that there are counter FIRs on the basis of which Crime No.225/2021 and 226/2021 have been registered

sequentially with the same Police Station. The assault on the head is attributed to the applicant No.1 the application to whose extent is now being withdrawn. The only allegations against the applicant No.2 are about the fact that he was accompanying the applicant No.1 and had taken part in the assault. No specific and precise overt act is attributable to him.

5. Pertinently, it appears that the two sides had indulged in a scuffle even inside the Police Station. An FIR has been registered by the concerned Police Officer under Section 160 of the Indian Penal Code. However, conspicuously, there is no reference about presence of the applicant No.2 during that event.

6. Considering the nature of the allegations *qua* the applicant No.2 and all the aforementioned facts and circumstances, he deserves to be granted anticipatory bail.

7. The application is allowed. In the event of arrest of the applicant No.2 in connection with Crime No.226/2021 registered with Jamkhed Police Station District Ahmednagar for the offence punishable under Sections 329, 341, 323, 504, 506 read with Section 34 of the Indian Penal Code, he shall be released on bail on executing personal recognizance for an amount of Rs.15,000/- (Rs. Fifteen thousand only) and furnishing a solvent surety in the like amount subject to following conditions:

- a) He shall attend the concerned Police Station as and when called by the Investigating Officer and shall cooperate him.
- b) He shall not tamper the evidence or influence the witnesses.

(MANGESH S. PATIL, J.)