

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

8 ANTICIPATORY BAIL APPLICATION NO.708 OF 2021

1. Rahul S/o. Dattu Ghuge, **...APPLICANTS**
Age-28 years, Occu-Service,
R/o. Deopul, Pishor Taluka Kannad,
Dist. Aurangabad
2. Parmeshwar s/O. Pundalik Ghuge,
Age- 26 years, Occu-Service,
R/o. Deopul, Pishor, Tq. Kannad,
Dist. Aurangabad

VERSUS

The State of Maharashtra

Mr. Nilesh S. Ghanekar, Advocate for the applicants
Mr. A. V. Deshmuh, APP for the respondent/State

CORAM : SANDEEP K. SHINDE, J.

DATE : 12-07-2021

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. Heard learned counsel for the applicants and learned
APP for the State.

2. Apprehending the arrest in connection with the crime
No. 0136/2021 registered with Pishor Police Station, Tq. Kannad,
Dist. Aurangabad for the offence under Sections 307, 120-B, 326,
325, 324, 323, 504, 506, 188, 269, 270, 147, 148, 149, 143 of the

Indian Penal Code and Section 51(b) of Disaster Management Act, 2005, the applicants seek pre-arrest bail.

3. Boundary dispute between accused and the complainant is the motive alleged by the prosecution. Although the alleged incident of assault had taken place on 23-05-2021, the FIR was lodged on 31-05-2021. Out of six, three accused were arrested and released on bail. The applicant No. 1 is working as a 'Peon' in the court; whereas the applicant No.2 is working as a Civil Engineer with the Municipal Council.

4. Be that as it may, in consideration of role attributed to the applicant NO. 1 and corresponding injury found on person of Namdeo the learned counsel for the applicant does not press the application of applicant No. 1. In so far as the applicant No. 2 is concerned, injuries on the person of Laxman were found simple in nature and incompatible the role attributed to him. Hence the following order.

ORDER

a] The application of applicant No.1 is disposed of as not pressed.

b] In the event of arrest of applicant No.2 Parmeshwar S/o. Pundalik Ghuge in connection with the

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crime No. 0136/2021 registered with Pishor Police Station, Tq. Kannad, Dist. Aurangabad for the offence under Sections 307, 120-B, 326, 325, 324, 323, 504, 506, 188, 269, 270, 147, 148, 149, 143 of the Indian Penal Code and Section 51(b) of Disaster Management Act, 2005, he shall be released on bail on executing bond in the sum of Rs. 20,000/- [Rupees Twenty Thousand] with one or more sureties in the like amount.

c. It is made clear that, observations made hereinabove shall be construed as expression of opinion for the purpose of granting bail only and the same shall not, in any way, influence the trial in other proceedings.

d. The applicant No. 2 shall report to the Investigating Officer on 16th, 23th and 30th July, 2021 between 11.00 to 01.00 pm and thereafter as and when called by the Investigating Officer.

5. The application is disposed of.

[SANDEEP K. SHINDE, J.]