

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
ANTICIPATORY BAIL APPLICATION NO. 1015 OF 2021**

1. Subham @ Raj Hanumant Baglane ... **Applicants**
Age 20 years, Occu: Education
R/o Kakadhira, Tq. & Dist. Beed
At present r/o Shriram Nagar, Beed.
2. Sushant s/o Kalyan Sapkal
Age 28 years, Occu: Agri & Business
R/o Karjani Tq. & Dist. Beed

VERSUS

The State of Maharashtra, ... **Respondent**
Through Police Station,
Beed (Rural) Police Station,
Tq. & Dist. Beed.

Mr. Angad L. Kanade, Advocate for the applicants,
Mr. S. B. Narwade, A.P.P. for the State.
Ms. Pournima Salve h/for Mr. S.J.Salunke, Adv. assists to P.P.

CORAM : PRAKASH D. NAIK, J.

DATE : 5th October, 2021

ORDER:

1. The applicants are apprehending arrest in connection with C.R. No. 0171/2021 registered with Beed (Rural) Police Station, Tq. & Dist. Beed for the offences punishable under Sections 307, 324, 323, 504, 506, 34 of the Indian Penal Code.
2. The case of prosecution is that complainant was intercepted by the applicants. Applicant No.1 was in possession of weapon (Katti) and applicant No.2 was armed with sword. Two other persons namely Amol Kadam and Ravindra Sapkal were also with them. It is further alleged that accused threatened the complainant of dire consequences.

Applicant No.1 assaulted the complainant by giving a blow of the weapon on his head. Co-accused Amol Kadam and Ravindra Sapkal assaulted him with stick. Applicant No.2 who was armed with sword tried to assault the complainant; the blow was avoided by the complainant which has resulted in injury to Popat Kale who accompanied the complainant.

3. Learned counsel for the applicants submitted that applicant No.1 is 20 years old boy. He is student of Civil Engineering. There are no criminal antecedents against him. Applicant No.2 has been attributed the role of assaulting with sword but minor injury is sustained by the witness. Co-accused Amol Kadam and Ravindra Sapkal were granted anticipatory bail by this Court. While allowing their application, this Court had observed that informant had sustained only one injury, that too contused lacerated wound (CLW) on left parietal region of head, which was of simple nature.

4. Learned A.P.P. submitted that specific role has been attributed to the applicants. They were armed with weapons. Complainant had sustained injury to the parietal region. Witness Popat Kale had also sustained abrasion/injuries of simple nature. There are statements of witnesses which support the version of the complainant.

5. Applicant No.1 is not having any criminal antecedent. He is aged 20 years. Nature of injuries sustained by the complainant is CLW

on left parietal region. He has sustained single injury. Other injured had suffered simple injuries.

6. Considering the factual aspects of the matter, the applicants need not be subjected to custodial interrogation.

7. Hence, I pass the following order :-

ORDER

- i. Anticipatory Bail Application No. 1015 of 2021 is allowed;
 - ii. In the event of arrest of the applicants in C.R. No.C.R. No. 0171/2021 registered with Beed (Rural) Police Station, Tq. & Dist. Bee, the applicants be released on bail on executing PR bond in the sum of Rs. 25,000/- each with one or more sureties in the like amount;
 - iii. The applicants shall attend the investigating officer on 12th, 13, and 14th October, 2021 between 11.00 a.m. to 1.00 noon and thereafter as and when called for.
8. Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)

JPC