

assaulted the complainant with Katti. The blow was tried to be avoided by him but it has resulted in injury to his forehead. The complainant tried to run away from the place of injury and at that time the applicant had allegedly thrown an iron rod at him which has caused injury to his leg.

3. The contention of the applicant is that he was seriously injured in the assault mounted by the complainant-opponent. He lodged first information vide CR No. 154/2021 with the same police station under sections 307, 324, 323, 341, 143, 147, 148, 149 IPC and section 3(1) (4) of the Prevention of Atrocities (SC & ST) Act. The applicant had sustained serious injury and he was hospitalized for a period of about 8 days. The learned counsel has placed for consideration the medical case record of the applicant from the District Hospital Hingoli.

4. Learned APP submitted that the reason for which the complainant is assaulted has to be taken into consideration. The complainant was forced to support the accused in the case registered under section 302 IPC which relates to death of father of the informant. There are eye witnesses to the incident. The informant had sustained injury which is born out from the medical case parers. There is injury to Bibhishan Hake in the nature of abrasion to frontal region of calf, contusion to right thigh, contusion to left arm and abrasion/contusion to left thigh. The injuries are simple in nature.

5. The FIR lodged by the applicant with the same police station which appears to be first in point of time. From the medical case papers it is apparent that the applicant was hospitalized in District Hospital Hingoli. Discharge card indicates that he was hospitalized for a period of 8 days. The cross FIR is registered by the applicant against the informant in present case, Bibhishan Hake and others.

6. In the light of factual matrix of the case, this application can be allowed by granting protection under section 438 Cr.P.C. Hence, I pass the following order :-

ORDER

- i. Anticipatory Bail Application No. 1091 of 2021 is allowed;
 - ii. In the event of arrest of the applicant in CR No. 157/2021 registered with Aundha Nagnath Police Station, District Hingoli, the applicant be released on bail on executing PR bond in the sum of Rs. 25,000/- with one or more sureties in the like amount;
 - iii. The applicant shall attend the investigating officer on 20th, 21st and 22nd October, 2021 between 11.00 a.m. to 1.00 noon and thereafter as and when called for till filing of the charge-sheet..
7. Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)

JPC