

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

ANTICIPATORY BAIL APPLICATION NO. 1112 OF 2021

Chetan Bhikesing Girase

...Applicant

Versus

The State of Maharashtra

...Respondent

.....
Mr. N. L. Choudhari, Advocate for the applicant

Mr. S. B. Narwade, APP for respondent / State

.....

CORAM : PRAKASH D. NAIK, J.

DATE : OCTOBER 12, 2021

PER COURT : -

1. The applicant is apprehending his arrest in connection with Crime No. 97 of 2021 registered with Shindkheda Police Station, Dist. Dhule. Initially, the FIR was registered for the offence under Section 324 of the Indian Penal Code but, subsequently Section 307 of the IPC was invoked.

2. It is the case of the prosecution that on 29.06.2021, while the informant was sleeping, the applicant and co-accused Mangalsing Girase suspecting that the information was provided by the informant to the police, the accused assaulted the informant on his head and other parts of the body by sticks.

3. Learned Counsel for the applicant submits that the co-accused Mangalsing @ Gotusing Bhikesing Girase, who was attributed identical role, has been granted anticipatory bail by this Court vide order dated 27th August, 2021. Custodial interrogation of the applicant is not necessary.

4. Learned APP submits that there are eye witnesses to the incident. The complainant was assaulted by sticks. Specific role has been attributed to the applicant. The injury certificate mentions the nature of injuries as fracture Tibia (Rt.) and cerebral oedema. Learned APP submits that there are seven to eight stitches on the person of the victim.

5. The assault was mounted by means of sticks. The victim has indeed sustained injuries. The co-accused Mangalsing @ Gotusing Girase was attributed identical role has been granted anticipatory bail by this Court vide order dated 27th August, 2021. The applicant is entitled for parity.

6. Considering the aforesaid aspects, the applicant need not be subjected to custodial interrogation. Hence, the following order.

ORDER

- i] The application is allowed and disposed of.
- ii] In the event of arrest of the applicant in connection with Crime No. 97 of 2021, registered with Sindkheda Police Station, Dist.Dhule, for the offences punishable under Sections 307, 324 r/w 34 of the Indian Penal Code, the applicant be released on bail on his furnishing P.R. bond in the sum of Rs. 20,000/- (Twenty Thousand) with one or two solvent sureties in the like amount.
- iii] The applicant shall report to the Investigating Officer on 21st and 22nd October, 2021 in between 11:00 am to 01:00 pm and, thereafter, as and when called.

[PRAKASH D. NAIK]
JUDGE