

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

**927 ANTICIPATORY BAIL APPLICATION NO.1287 OF 2021
WITH APPLN/2793/2021 IN ABA/1287/2021**

(1) Lalsingh Vedu (Vedusing) Girase,
(2) Gopal Lalsingh Girase,
(3) Jaypal (Jaypalsing) Lalsingh Girase

VERSUS

The State of Maharashtra

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Mr. Dhananjay B.Thoke, Counsel for applicants
Mr. S.B.Narwade, APP for Respondent-State
Mr. S.P.Brahme, Counsel for the informant (assist to APP)

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CORAM : PRAKASH D. NAIK, J.

DATE : 24th NOVEMBER, 2021

PER COURT:

1] Since the court showed disinclination to grant relief to applicants No.2 and 3, learned counsel for the applicants, on instructions, seeks permission to withdraw the application of applicants No.2 and 3. It is submitted that the applicant No.1 is the senior citizen aged about 60 years, having no criminal antecedents.

2] The First Information Report (for short, 'FIR') was lodged on 27.09.2021, alleging that the accused had assaulted the complainant with iron rod. The victim has suffered three injuries viz.: fracture, CLW over temporal region and CLW over Tibia.

- 3] Learned counsel for the applicant submits that the allegations are vague. There are contradictions in the statement of the complainant and the eye-witnesses in respect of weapon used in the crime.
- 4] Learned APP and learned counsel for the complainant opposed the application for the anticipatory bail. It is submitted all the three accused have assaulted the complainant. Injury certificate corroborates version of injuries.
- 5] The applicants No.2 and 3 are the sons of the applicant No.1.
- 6] Considering the factual aspect of the matter and more particularly, the age of applicant No.1, relief can be granted to him.

ORDER

- (i) Anticipatory Bail Application No.1287 of 2021 is partly allowed.
- (ii) The application of applicants No.2 and 3 is allowed to be withdrawn and stands disposed of.
- (iii) The application of qua applicant No.1 is allowed.
- (iv) In the event of arrest of applicant No.1 in connection with Crime No.0123 of 2021 registered with Dondaicha Police Station, Dist.Dhule, the applicant be released on bail on his executing P.R. Bond in the sum of Rs.25,000/-, with one or two sureties in the like amount.

- (v) Applicant No.1 shall report Investigating Officer on 1st, 2nd and 3rd December, 2021 between 11.00 am to 01.00 pm and thereafter, as and when called for, till filing of charge-sheet.
- (vi) Application stands disposed of.
- (vii) Criminal Application No.2793 of 2021 also stands disposed of.

(PRAKASH D. NAIK, J.)

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