

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

30 ANTICIPATORY BAIL APPLICATION NO.1295 OF 2021

1. Ashok Keshav Gade
 2. Gokul Keshav Gade
 3. Nanasaheb Yashwant Gade
 4. Prashant Sheshrao Gade
- Applicants.
- All r/o Takli Manur, Tal. Pathardi,
District Ahmednagar.

Versus

The State of Maharashtra

Respondent.

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Mr. N.B.Narwade, Advocate for the applicants.
Mr. A.S. Shinde, A.P.P. for respondent – State.

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CORAM : **PRAKASH D. NAIK, J.**

DATE : 29-11-2021

ORDER :

1. The applicants are apprehending arrest in connection with Crime No. 732 of 2021 registered with Pathardi Police station, District Ahmednagar for the offence under sections 307, 324, 143, 147, 148, 149, 323, 504, 506 of the Indian Penal Code.
2. The prosecution case is that accused were frequently causing trouble to the complainant. On 23.9.2020, the complainant was proceeding towards his house from the village Kinkhadi.

Accused No.1 arrived in a four wheeler from the opposite direction. He stopped his four wheeler in front of the two wheeler of the complainant. The accused got down from the vehicle. Accused No.1 tried to run his four wheeler over the person of complainant. He managed to evade it. The complainant fell down. The complainant was assaulted by accused No.1. He was taken to the hospital for treatment. Crime No. 745 of 2021 was registered from the side of the complainant. On perusal of the FIR, it is apparent that although the present applicants were named, overt act of assault has not been attributed to any of the applicants.

3. Learned APP submits that the applicants have participated in the offence. They were acting in furtherance of common intention with the accused No.1.

4. Some of the accused in cross case have preferred ABA No. 1302 of 2021 before this Court. Considering the facts as stated above, the applicants need not be subjected to custodial interrogation. Hence, the following order.

ORDER

- (i) ABA No. 1295 of 2021 is allowed.
- (ii) Interim order dated 28th October 2021 is confirmed.
- (iii) In the event of arrest of the applicants in Crime No.732 of 2021 registered with Pathardi Police Station, District Ahmednagar, the applicants be released on bail on executing P.R. bond in the sum of Rs. 20,000/- each, with one or more sureties in the like amount.

- (iv) The applicants shall appear before the Investigating Officer on 13.12.2021, 14.12.2021 and 15.12.2021 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called for, till filing of the charge-sheet.
- (v) The application stands disposed of.

(PRAKASH D. NAIK, J.)

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