

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

936 ANTICIPATORY BAIL APPLICATION NO.1451 OF 2021

1. Shriram Kundalik Kolhe
2. Datta Rameshwar Kolhe
3. Jagan Rameshwar Kolhe Applicants
Versus
The State of Maharashtra Respondent

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Mr. D.M. Shinde, Advocate for the applicants.
Mr. V.S. Badakh, A.P.P. for respondent - State.

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

DATE : 17-12-2021

ORDER :

1. The applicants are apprehending arrest in connection with Crime No.277/2021 registered with Hingoli (Rural) Police Station, District Hingoli on 07.11.2021 for the offence under Sections 307, 324, 504, 143, 147, 148, 149 of the Indian Penal Code.

2. The complainant owned 2 ½ Acres agricultural land at Nandura. 35 Guntha was sold to Shriram Kolhe. He had transferred it in the name of his brother Rameshwar Kolhe. Inadvertently 70 R land was transferred in the name of Rameshwar Kolhe. The complainant filed suit and the property was retransferred to him. The complainant has alleged that accused were involved in assaulting him, his son and other relatives. On 05.11.2021 accused

came to house of complainant. Rameshwar Kundlika Kolhe was armed with knife and others were holding sticks. Rameshwar assaulted complainant's son Ramkishan on his abdomen by knife. Applicant No.3 Jagan Kolhe had assaulted Ramkishan by stick on his left chick. Maroti Kolhe assaulted by stick on leg of complainant. Datta Rameshwar Kolhe assaulted complainant with stick on head. ShriramKolhe assaulted on thumb. Jagan assaulted by stone on waist. Datta Rameshwar Kolhe assaulted by stick on head of wife of complainant.

3. Learned A.P.P. submitted that the applicants are named in the F.I.R. They have participated in the assault. There are eye witnesses to the incident. He relied upon injury certificates of Sayabai Kolhe, Sarangdhar Kolhe and Ramkishan Kolhe.

4. Applicant No.3 had allegedly assaulted with stick. Applicant No.2 assaulted complainant by stick on head. Applicant No.1 assaulted complainant by stone on thumb of hand. Applicant No.3 assaulted the complainant by stone on his waist. Applicant No.2 assaulted wife of complainant on her head by stick. Corresponding injuries were caused to the complainant and witnesses. There are no criminal antecedent against the applicants. Rameshwar has been arrested and he is in custody. Accused No.2 Maroti was arrested and released on bail. The applicants were armed with sticks. The applicants have attended Investigating Officer.

5. In view of role attributed to the applicants and corresponding injuries, relief can be granted to the applicants. Hence, the following order.

ORDER

- (i) ABA No.1451 of 2021 is allowed.
- (ii) Interim order dated 3rd December 2021 is confirmed.
- (iii) In the event of arrest of the applicants in Crime No.277/2021 registered with Hingoli (Rural) Police Station, District Hingoli, 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 applicant shall report the Investigating Officer as and when called for.
- (v) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)

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