

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1409 OF 2021

Lahu s/o Digambar Chavan ...Applicant

Versus

The State of Maharashtra and another ...Respondents

...

Advocate for the Applicant : Mr. A. M. Gaikwad

APP for the Respondent – State : Mr. A. V. Deshmukh

...

AND

ANTICIPATORY BAIL APPLICATION NO. 1459 OF 2021

Santosh s/o Parasram Rathod ...Applicant

Versus

The State of Maharashtra ...Respondent

...

Advocate for Applicant : Mr.A. R. Syed h/f.

Mr. Anil U. Pawar

APP for the Respondent – State : Mr. A. V. Deshmukh

...

CORAM : PRAKASH D. NAIK, J.

DATE : 15th DECEMBER, 2021

PER COURT :-

1. The First Information Report (for short “F.I.R.”) has been registered with Pimpaldari Police Station, Taluka Gangakhed, District Parbhani for the offences punishable under Sections

353, 341, 332, 143, 147, 149, 504 and 506 of the Indian Penal Code.

2. The complainant is a Police Head Constable. According to him, the accused were playing loud music. They were questioned by him. There was altercation. Thereafter accused chased the complainant. One of them assaulted him with plastic pipe and others assaulted by fist and kick blows. The other constable intervened. He was also assaulted by the accused.

3. The role attributed to the applicant is that he was involved in assaulting the complainant and witness by fist and kick blows.

4. Learned APP submitted that the applicants have participated in assaulting the public servant.

5. However, on perusal of the FIR, it can be seen that the role of assault by fist and kick blows was attributed to the applicants. There are no criminal antecedents against both the applicants. Custodial interrogation is not necessary. Hence, these applications can be allowed.

ORDER

(i) Anticipatory Bail Application Nos. 1409 and 1459 of 2021 are allowed.

(ii) In the event of arrest of the applicants in Crime No. 141/2021, registered with Pimpaldari Police Station, Taluka Gangakhed, District Parbhani, the applicant be released on bail on executing P.R. bond in the sum of Rs.20,000/- with one or more sureties in the like amount.

(iii) The applicants shall report Investigating Officer on 23rd and 24th December, 2021 between 11.00 a.m. to 01.00 p.m.

(iv) Application stands disposed of.

(PRAKASH D. NAIK)
JUDGE

shp/-