

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (ABA) NO. 785 OF 2020

(Yogesh S/o Prakash Kharat and others ..vs.. State of Maharashtra, through Police Station Officer,
Janefal, Tahsil Mehakar, Dist. Buldhana)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri N.M. Gaidhane, Counsel for the applicants,
Mr. S.S. Doifode, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 11.01.2021

Heard.

2. The applicants are apprehending arrest in Crime 121/2019 registered with Janefal Police Station for offences punishable under Sections 294, 307, 324, 504, 506, 143, 144, 146, 147, 148 and 149 of Indian Penal Code and Section 135 of the Maharashtra Police Act.

3. As many as twelve persons are implicated in the alleged assault. I have perused the material in the case diary and having done so, I am satisfied that the applicants have made out a case for interim protection.

4. The allegation is that the applicants assaulted Madhav (informant), Gopal and Umesh with sticks. The injury report discloses that no injury is suffered by Madhav. In so far as Gopal and Umesh are concerned, neither their statements nor injury certificates are on

record.

5. It appears that cross-reports are lodged concerning the same incident. The possibility of over implication cannot be ruled out. In any event, considering that there is virtually no role which is substantiated by the material, attributed to the applicants, their custodial interrogation may not be necessary.

6. The application is allowed.

7. In the event of arrest in Crime 121/2019 registered with Janefal Police Station for offences punishable under Sections 294, 307, 324, 504, 506, 143, 144, 146, 147, 148 and 149 of Indian Penal Code and Section 135 of the Maharashtra Police Act, the applicants shall be released on furnishing personal bond of Rs.25,000/- each with a solvent surety of like amount, which surety may be furnished within four weeks from the arrest, if any.

8. The applicants shall attend the concerned police station as and when directed by the Investigating Officer and shall cooperate with the Investigating Officer.

9. The applicants shall not make any attempt to influence the witnesses.

10. The applicants shall not leave the country without the permission of the trial Court.

JUDGE

adgokar