

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 ANTICIPATORY BAIL APPLICATION NO.69 OF 2022

VIKAS VIJAY GAYAKWAD

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. S.G. Kawade, Advocate for the applicant

Mrs. V.N. Patil-Jadhav, APP for the respondent

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 04th FEBRUARY, 2022

ORDER :

1 Applicant is apprehending his arrest in connection with Crime No.400/2021 dated 14.12.2021 registered with Hingoli City Police Station, Dist. Hingoli, for the offence punishable under Section 307, 147, 148, 149 of the Indian Penal Code, 1860.

2 Heard learned Advocate Mr. S.G. Kawade for the applicant and learned APP Mrs. V.N. Patil-Jadhav for the respondent. In order to cut short, it can be said that they have argued in support of their respective contentions.

3 Perusal of the First Information Report lodged on 14.12.2021 by one Anil Keshav Mote would show that he has given First Information Report in respect of an incident that had allegedly taken place at about 11.00 a.m. on 06.12.2021. There appears to be considerable delay. He states that he had gone to meet his cousin sister when her brother-in-law Vikas Vijay Gaikwad i.e. present applicant went there and started quarrel with him, as to why he has come and who has called him. Informant states that his sister, in order to save him took him and kept in a room by latching it. However, thereafter the other co-accused came in the said room and assaulted him. Co-accused Sachin and Amol had come with knife and they had assaulted him on his stomach and left hand. His cousin sister was also assaulted by them. According to the informant, he had become unconscious on the spot.

4 Thu, perusal of the First Information Report, would show that the alleged assault was by accused Sachin and Amol and not by the present applicant. The applicant was the first person to meet the informant and asked him as to why he has come. Thereafter, no role is attributed to him. Under such circumstance, his physical custody is not required for the purpose of investigation. He deserves to be released on bail. Hence, following order.

ORDER

1 Application stands allowed.

2 In the event of arrest of the applicant viz. Vikas Vijay Gaikwad, in connection with Crime No.400/2021 dated 14.12.2021 registered with Hingoli City Police Station, Dist. Hingoli, for the offence punishable under Section 307, 147, 148, 149 of the Indian Penal Code, 1860, he be released on P.R. of Rs.30,000/- (Rupees Thirty Thousand only) with two solvent sureties of Rs.15,000/- (Rupees Fifteen Thousand only) each.

3 The applicant shall not indulge in any criminal activity nor he should tamper with the evidence of the prosecution, in any manner.

4 Applicant shall cooperate with the investigation.

(Smt. Vibha Kankanwadi, J.)

agd