

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 ANTICIPATORY BAIL APPLICATION NO.250 OF 2022

SACHIN @ SATISH SURESH AVACHARE (AVATARE)

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. D.S. Patil, Advocate for the applicant

Mr. V.M. Kagne, APP for the respondent

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 10th MARCH, 2022

ORDER :

1 The applicant is apprehending his arrest in connection with Crime No.107/2021 dated 18.11.2021 registered with Fardapur Police Station, Dist. Aurangabad, for the offence punishable under Section 324, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860.

2 Heard learned Advocate Mr. D.S. Patil for the applicant and learned APP Mr. V.M. Kagne for the respondent. In order to cut short, it can be said that they have argued in support of their respective contentions.

3 First Information Report has been lodged by one Gangaram

Maroti Navkar, who is 60 years old person, in respect of an incident dated 17.11.2021. No doubt, it appears that the triggering point of the dispute appears to be too trifle, however, as regards the role attributed to the applicant is concerned, it is stated that he had assaulted informant with stick on his head. He also states that the other family members of the applicant had also assaulted him. No doubt, it appears that the co-accused have been released on anticipatory bail, but as regards the present applicant is concerned, taking into consideration the role attributed to him, it was rejected by the learned Additional Sessions Judge, Aurangabad. The police papers show statements of witnesses, who have stated that the applicant had assaulted the informant with wooden stick. The medical certificate of the informant shows that he had suffered one injury i.e. laceration over left temporal region close to frontal bone and it is stated to be the grievous hurt. Under such circumstance, taking into consideration the seriousness of the injury sustained by the informant and the author of that injury is stated to be the present applicant, who had caused it by means of a stick and the stick is yet to be recovered, no case is made out to exercise extraordinary relief in favour of the applicant. Application stands rejected.

(Smt. Vibha Kankanwadi, J.)