

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.222 OF 2022

1. Dipak Ramesh Patil
 2. Dattatray Ramesh Patil
 3. Vikki Chabilal Patil
 4. Sandip Vasant Patil (Ravi Vasant Pawar)
 5. Gayatri Ravi Pawar
- ... Applicants

Versus

The State of Maharashtra

... Respondent

...
WITH
CRIMINAL APPLICATION NO.992 OF 2022
IN ABA/222/2022

...

Mr. V. B. Patil, Advocate for applicants.
Mr. B. V. Virdhe, APP for the respondent – State.
Mr. U. S. Patil, Advocate for assist to APP.

...

CORAM : SMT. VIBHA KANKANWADI, J.

Reserved on : 05.04.2022

Pronounced on : 22.04.2022

ORDER :-

. Criminal Application No.992 of 2022 filed by the original informant seeking permission to assist learned APP stands allowed and disposed of.

2 The applicants are apprehending their arrest in connection with Crime No.21 of 2022 registered with Parola Police Station, Dist. Jalgaon for the offences punishable under Sections 307, 327, 143, 147, 148, 149, 323, 504, 506 of Indian Penal Code.

3. Heard learned Advocate Mr. V. B. Patil for the applicant and learned APP Mr. B. V. Virdhe for the respondent – State well assisted by learned Advocate Mr. U. S. Patil for the original informant. In order to cut short, it can be said that all of them have made submissions in support of their respective contentions.

4. At present the contents of the First Information Report would show that there was some previous dispute between the parties and on 20.01.2022 around 8.30 to 9.00 p.m. informant was standing on a raised platform in front of his house, all the accused persons came by shouting and abusing the informant, then, accused Gopal and Rahul had caught hold of the informant, accused Sagar then stabbed informant with knife, which has caused multiple injuries. Said Gopal, Rahul and Sagar are not before this Court. Thereafter, the informant has stated that the present applicants had assaulted him by kicks and fists. When his wife had come to rescue him, accused Gopal, who is not before this Court, had snatched her mangalsutra. Thus, the role attributed to the applicants is giving kicks and fists. Accused – Sagar, against whom there are allegations of stabbing informant with knife, is not before this Court. Though the documents collected by the Investigating Officer in respect of treatment given to the informant at various hospitals have been collected and it appears that he had sustained serious injuries, yet the author of those injuries is mainly accused – Sagar, because the informant himself has stated that the present applicants had

assaulted him by kicks and fists.

5. Substantial portion of investigation appears to have been done. Statements of witnesses have also been recorded, especially the statement of wife of the informant. She has not given role to the present applicants. She arrived at the spot at much later point of time when she heard cries of her husband. Same is the case with other witnesses, who are the relatives of the informant. Therefore, with this evidence collected uptill now, the custodial interrogation of the applicants appear to be not required for the purpose of investigation. Though for two dates, the interim protection granted earlier to the applicants was not continued, yet taking into consideration the police papers, it deserves to be continued. Hence, the following order :-

ORDER

- I) ABA No.222 of 2022 stands allowed.
- II) The interim protection granted earlier to the applicants vide order dated 01.03.2022 stands confirmed and made absolute. In other words, in the event of arrest of applicants viz. (i) Dipak Ramesh Patil, (ii) Dattatray Ramesh Patil, (iii) Vikki Chabilal Patil, (iv) Sandip Vasant Patil (Ravi Vasant Pawar) and (v) Gayatri Ravi Pawar in connection with Crime No.21 of 2022 registered with Parola Police Station, Dist. Jalgaon for the offences punishable under Sections 307, 327, 143, 147, 148, 149, 323, 504, 506 of Indian Penal Code, they be released on P. R. Bond of Rs.30,000/- each with two solvent sureties of Rs.15,000/- each, if not already released.

- III) Applicants shall not indulge in any criminal activity nor shall tamper with the prosecution evidence, in any manner.
- IV) They should cooperate with the investigation.
- V) Applicant Nos.1 to 4 to attend Police Station, Parola, Dist. Jalgaon, on every Monday, Wednesday and Friday between 10.00 a.m. to 2.00 p.m. till filing of charge-sheet.

[SMT. VIBHA KANKANWADI, J.]

scm