

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

915 ANTICIPATORY BAIL APPLICATION NO.560 OF 2022

1. MOHAN SHRIRAM BHALERAU
2. YASHWANT KISAN BHALERAU
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Patil Vijay Bhalerao.
APP for Respondent-State : Ms. V. S. Choudhari.
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CORAM : S. G. MEHARE, J.
DATE : 23.06.2022

PER COURT :-

1. Heard the learned counsel for the applicants and the learned APP for the respondent-State.

2. Perused the investigation papers. Learned counsel for the applicant would submit that prior to the alleged incident, the complainant and her daughters were shouting in Police Station, therefore, police have gave them understanding. The applicants have played no role, but the false allegations have been levelled against them that they beat her and her daughters with stones and bricks. No specific role of each applicants had been alleged in the FIR. The allegations are general in nature. In the present case, no role is attributed to

applicant Yashwant. The other co-accused have already released on regular bail. No custodial interrogation is required. Hence, he may be released on bail.

3. Learned APP has strongly opposed the application and vehemently argued that one of the daughter of the applicant has suffered a fracture injury. The injury sustained by her is grievous in nature. Before the present crime, the applicants were loudly shouting in the Police Station compound. Therefore, an offence under Section 160 of the IPC was registered against them. The preventive action was taken against them. After the preventive action, also they have committed a cognizable offence. The applicants are quarrelsome nature. The investigation is in progress. They may tamper with the prosecution witnesses.

4. Perusal of the papers reveals that all the accused in the crime went to the house of the first informant, assaulted them with stones and bricks. Prior to that, the complainant asked one Ravindra Bhalerao, a member of the family of the accused "why he unnecessarily trouble his daughter". Thereafter, the co-accused quarreled with her. Then, she called her daughter Prachi and asked her to lodge the report. After returning from the Police Station, the incident happened. Having regard to the

way of the offence that has allegedly been committed by the accused, it appears that all the accused were very much aggressive and they have caused the injuries to the first informant and her daughter. The oral factum of the case, it reveals that the applicants and the other co-accused were very much aggressive and assaulted the woman and they have caused the grievous injuries to one of the daughter of the first informant. Looking to the gravity and seriousness of the crime, it would not be safe to grant the protection to the applicants as prayed.

5. Hence, the present application stands dismissed.

(S. G. MEHARE, J.)

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vmk/-