

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

23 ANTICIPATORY BAIL APPLICATION NO.804 OF 2022

**PRASAD PANDURANG GADHVE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Abhijit S. More
APP for Respondent / State : Mr. A.A. Jagatkar
...

**CORAM : S. G. MEHARE, J.
DATE : JULY 11, 2022**

PER COURT : -

1. Heard the learned Counsel for the applicant and the learned APP for the State.
2. The learned Counsel for the applicant would submit that the false allegations of assaulting the injured with iron rod have been levelled. No injury as such is caused to the complainant by the iron rod. A false report has been lodged against the applicant. The complainant was at fault. Nothing is to be recovered from the applicant. Hence, the interim protection already granted may be confirmed.
3. The learned APP would submit that in the investigation it is transpired that the complainant has a bite injury only.
4. Considering the nature of injury, the allegations of trying to

assault the complainant with the iron rod is under the shadow of doubt. No doubt, the dispute was on the ground of the boundary in the field and placing the soil of the bandh on the road. Considering the nature of dispute and injuries suffered by the complainant, if the interim protection confirmed, no prejudice would cause to the prosecution. Hence the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the applicant by order dated 27.06.2022 is confirmed on the same bail conditions.

[S. G. MEHARE]
JUDGE