

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

ANTICIPATORY BAIL APPLICATION NO.884 OF 2022

SANTOSH LAXMAN MANE  
VERSUS  
THE STATE OF MAHARASHTRA

...  
Advocate for Applicant : Mr. Arvind G. Ambetkar  
APP for Respondent : Ms. V. S. Choudhari  
...

**CORAM : S. G. MEHARE, J.**

**DATE : 01-08-2022**

**PER COURT :-**

1. Heard the learned counsel for the applicant and the learned APP for the respondent/State.
2. The FIR reveals that the incident happened on 07.06.2022, however, the report was lodged on 12.06.2022. It has been alleged against the applicant that father of the complainant called him in front of the house of the victim/injured as they had some quarrel. The father of the applicant abused the victim without any reason. The applicant lifted the firewood stick from the heap of firewood and hit it on his back, thigh and left ankle.
3. The learned counsel for the applicant would submit that the victim met with a vehicular accident. There was a quarrel between the injured and the applicant's father. Therefore, a false report has

been lodged. The delay is not explained. The alleged weapon, stick is seized from the applicant. Hence, the custodial interrogation of the applicant is not required.

4. The learned APP opposed the application contending that the applicant had assaulted the injured for no cause. The injured suffered serious injuries. The papers produced by the learned APP before the Court appear that the private hospital issued the medico-legal certificate to the police. However, while disclosing the history, the names of the applicants were not disclosed.

5. Be that as it may, the alleged firewood stick has been seized. Therefore, the purpose of custodial interrogation of the applicant would not be served. In the facts and circumstances of the case, the application deserves to be allowed. Hence, the following order-

- i) The application is allowed.
- ii) The interim protection granted to the applicant by order of this Court dated 14.07.2022 is confirmed on the same terms and conditions.

**( S. G. MEHARE )  
JUDGE**

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