

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.918 OF 2022

AVINASH KAILAS KADAM AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Dhananjay M. Shinde
APP for Respondent : Ms. V. S. Choudhari
...

CORAM : S. G. MEHARE, J.

DATE : 25-07-2022

PER COURT :-

The learned counsel for the applicant and the learned APP for the respondent/State.

2. The allegations of assaulting the injured with weapons have been levelled in the first information report. However, the papers placed on record reveal that the alleged weapons used in the crime have been recovered from one of the co-accused under Section 27 of the Indian Evidence Act. The papers further demonstrate that the injuries are simple. The purpose of police custody may not be served for the reason that the weapons allegedly used in the crime have been seized. In view of this fact,

this Court is of the considered view that the custodial interrogation would serve no purpose. Therefore, 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 dated 14.07.2022 has been confirmed on the same terms and conditions of bail.

(S. G. MEHARE)
JUDGE

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