

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD  
ANTICIPATORY BAIL APPLICATION NO.1024 OF 2022**

AKSHAY ANIL DAHIWAL

..APPLICANT

VERSUS

THE STATE OF MAHARASHTRA

..RESPONDENT

...

Mr. A. B. Ghule, Advocate for the Applicant.

Ms. V. S. Choudhari, APP for Respondents-State.

...

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

**DATED : 24<sup>th</sup> AUGUST, 2022.**

**PER COURT:-**

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

2. The applicant has a case that his name has not been mentioned in the FIR; however, he has been falsely implicated in the crime. There are no allegations of overact and causing injury to any of the person. Considering the allegations leveled against the applicant, he may be released on anticipatory bail.

3. The learned APP has strongly opposed the application contending that the injuries as suffered are serious. The applicant is one of the co-accused who was supporting the other co-accused. Therefore, though there are no allegations of overact, he cannot be granted anticipatory bail as the offence is serious.

4. After having giving thoughtful consideration to the argument advanced by the respective counsel and examining the papers, it appears that there are no allegations against the applicant committing overact or causing injury or using weapon in the crime. The other co-accused have been arrested. Therefore, no purpose would be served, if the applicant is directed to face the custodial interrogation. Hence, the following order:

**ORDER**

- a. The application is allowed.
- b. The interim protection granted to the applicants by order dated 11.08.2022 is confirmed on the same terms and conditions of the bail bond with an additional condition to attend the police station as and when called by the Investigating Officer on written notice and shall not tamper with the prosecution witnesses.

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