

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

ANTICIPATORY BAIL APPLICATION NO.1056 OF 2022

**BABAN DIGAMBAR BHANDARE
VERSUS
THE STATE OF MAHARASHTRA**

**WITH
ANTICIPATORY BAIL APPLICATION NO.1057 OF 2022**

**MURLIDHAR DIGAMBAR BHANDARE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicants : Mr. Patil Nileshsingh J
APP for Respondent/State : Mr. S.B. Narwade

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CORAM : S.G. MEHARE, J.

DATED : 25th AUGUST, 2022

PER COURT:-

1. Heard learned counsel for the applicants and learned APP for the State.
2. As there was counter case of riot between two groups. It has been specifically alleged against the applicant Murlidhar that he assaulted the complainant and others with sword. It seems that the quarrel took place since Bhagwa flag pole was installed in the square in the locality of the applicants.
3. Learned counsel for the applicants would submit that the FIR is delayed by three days. False allegations have been levelled against the applicants. On the contrary, the applicants have suffered serious injuries in the assault of the complainant and his friends. The

applicants are innocent persons. They have been falsely implicated in the crime. Therefore, anticipatory bail may be granted to them.

4. Learned APP has strongly opposed the application. He has referred to the FIR and pointed out that the applicants have caused the serious injuries. The applicants have used deadly weapons. Due to the activities of the applicants, the law and order of the village has been disturbed. There is great possibility of committing the crime in future also. That apart, the deadly weapons are to be recovered from the applicants. Therefore, the applicants are not entitled to the anticipatory bail.

5. Perused the FIR and other papers produced by the Investigating Officer. There are specific allegations against the applicants that they have assaulted the injured with sword, iron rods and sticks. Both the groups have caused injuries to each other. The dispute appears to have given some religious colour and the riot has been committed. Considering the gravity of the offence and the recovery of the weapons, this Court is not inclined to grant anticipatory bail to the applicants. Hence, both the applications stand dismissed.

(S.G. MEHARE, J.)