

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1124 OF 2022

Sunil @ Prem Ramdas Jadhav

...Applicant

Versus

The State Of Maharashtra & Anr.

...Respondents

Mr. R.R. Karpe, Advocate for the applicant.

Mr. V.S. Badak, APP for State.

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 17th OCTOBER, 2022

ORDER :

1. Heard the learned advocate for the applicant and learned Additional Public Prosecutor for the State. Perused the investigation papers.

2. The applicant is involved in offence punishable under section 395, 384 of Indian Penal Code, 1860 and Section 3 of Arms Act, 1959. The informant has alleged that he was assaulted with fist and kick blows as well as by the beer bottles on hand, legs and on back. Two unknown persons pointed revolver at his head and amount of Rs. 7,000/- was snatched away from him. Though, the applicant is named in the FIR, there

is no specific role attributed to the applicant and general allegations are levelled that all the accused persons have assaulted the informant.

3. Before the Sessions Court, at the time of hearing of anticipatory bail application, affidavit of informant was filed, wherein he denied the incident in question and exonerated the applicant and other accused persons. Out of total 8 accused persons, accused no. 2 was arrested. Injury certificate, *prima facie* do not support the allegations of the informant made in the FIR in question. There are no criminal antecedent of the applicant. In that view of the matter, applicant deserves protection.

4. The application is allowed in terms of interim order passed on 23.08.2022.

[NITIN B. SURYAWANSHI, J.]