

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1181 OF 2022

RAJENDRA SURESH PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Shivraj B. Kadu
APP for Respondent/State : Mr. P. K. Lakhotiya
...

CORAM : S. G. MEHARE, J.

DATE : 14-09-2022

PER COURT :-

1. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent/State.

2. Initially Section 326 of the Indian Penal Code was not applied. However, after about a month, Section 326 of the Indian Penal Code was applied in the crime. The prosecution papers reveal that the applicant Rajendra had produced weapon allegedly used in the crime. The police have seized the said weapon. The first information report reveals that only one stick has been used in the crime. No doubt, there were injuries to the injured persons. However, the main purpose of the custodial interrogation to recover weapon at the instance of the accused has been otherwise served. Therefore, the Court is of the view that the custodial

interrogation of the applicants would serve no purpose. The application deserves to be allowed. Hence, the following order :-

- i) The application is allowed.
- ii) The order granting interim protection by the order dated 06.09.2022 is confirmed on the same terms and conditions.

(S. G. MEHARE)
JUDGE

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