

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
ANTICIPATORY BAIL APPLICATION NO.1250 OF 2022
WITH APPLN/3409/2022 IN ABA/1250/2022**

YOGESH DATTA ANCHARWAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Arun S. Shejwal
APP for Respondents – State : Mr. A. V. Deshmukh
...

**CORAM : NITIN B. SURYAWANSHI, J.
DATE : 11th OCTOBER, 2022**

PER COURT :

1. Applicants are apprehending arrest in connection with Crime No.0185/2022, registered with Himayatnagar Police Station, Nanded, for offences punishable under Sections 324, 327, 336, 323, 504, 506 read with Section 34 of the Indian Penal Code.
2. Heard learned advocate for applicants and learned Additional Public Prosecutor for respondent – State, perused the investigation papers.
3. In the FIR, it is alleged by informant that she resides in front of the house of one lady who sells illicit liquor. On the date of incident, 10 to 15 villagers entered the house of informant and asked her to bring Ratanbai (lady who used to sell illicit liquor). Villagers alleged that informant was supporting Ratanbai. When informant told them that Ratanbai is not in her house, she was assaulted. Her gold ornament was snatched during assault.

Applicant No.3 pelted brick towards her son.

4. Perusal of investigation papers show that wife of applicant No.2 is Sarpanch of the village. She lodged FIR alleging commission of offence punishable under Sections 3(1)(c) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 323 read with Section 34 of the Indian Penal Code, against husband of the informant and two others on 05/08/2022, which is registered at Himayatnagar Police Station, Nanded at C.R. No.0184/2022 at 01:43 p.m. and thereafter, the FIR in question is lodged against applicants at 04:21 p.m. A resolution is passed by the Village Panchayat that illicit liquor business in the village should be stopped. Villagers have filed applications from time to time to police authorities and Collector.

5. Prima facie it appears that FIR in question is lodged with a view to give counterblast to the movement of stopping illicit liquor business. In that view of the matter, applicants deserve relief.

6. Application is, therefore, allowed in terms of interim order passed by this court on 19/09/2022. Till filing of charge-sheet, applicants shall attend police station as and when called by investigation officer.

7. Accordingly, criminal application also stands disposed of.

(NITIN B. SURYAWANSHI, J.)