

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

**ANTICIPATORY BAIL APPLICATION NO.1295 OF 2022
WITH APPLN/3353/2022 IN ABA/1295/2022**

**JAGANNATH SAHEBRAO DHOTRE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicants : Mr. Khan Mohsin Khan Masood
APP for Respondent – State : Mr. N. T. Bhagat
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 18th OCTOBER, 2022

PER COURT :

1. After arguing for some time, when this Court was not inclined to grant relief to applicant No.2, learned advocate for applicants, on instructions, seeks permission to withdraw application to the extent of applicant No.2. Permission granted. Application of applicant No.2 is disposed of as withdrawn.

2. Applicant is involved in commission of offence punishable under Sections 307, 326, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code, alongwith 12 accused persons. The main role is attributed to accused No.1 named in the FIR, whose application is withdrawn. Allegation against applicant is that he assaulted Santosh with iron rod on hand.

3. Perusal of investigation papers, particularly the injury

certificate, shows that Santosh has suffered abrasion over forearm, which is a simple injury. Total 8 accused out of 13 named in the FIR, are enlarged on anticipatory bail by this Court. Since the injury certificate does not support allegations made in the FIR against applicant, applicant deserves protection.

4. Application is, therefore, allowed. In the event of arrest of applicant in connection with Crime No.31/2022, registered with Ahmednagar Camp Police Station, Ahmednagar, for offences punishable under Sections 307, 326, 323, 504, 506, 143, 147, 148 and 149 of the Indian Penal Code, applicant shall be released on bail on executing P.R. and S.B. of Rs.15,000/-, with one surety in the like amount. Applicant shall attend concerned police station everyday during 22nd to 31st October, 2022, between 10:00 a.m. to 12:00 p.m. and shall cooperate in the investigating. Applicant shall not tamper with the prosecution witnesses.

(NITIN B. SURYAWANSHI, J.)