

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

ANTICIPATORY BAIL APPLICATION NO.1312 OF 2022

**PRATIK ALABHAI BHARWAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicants : Mrs. Tanvi Jadhav h/f
Mr. Subodh P. Shah
APP for Respondent – State : Mr. S. P. Sonpawale
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 20th OCTOBER, 2022

PER COURT :

1. Applicants along with four other accused persons have allegedly assaulted informant and his brother Sanjay. Accused Nos. 1 and 3 named in the FIR have allegedly assaulted on the head of informant and his brother with backside of spade and axe. Allegations against present applicants are that, applicant No.1 caught hold of informant, when accused No.1 was assaulting him. General allegation are leveled against applicant Nos. 2 and 3 that they assaulted informant and his brother with stick, fists and kick blows.

2. Perusal of investigation papers, more particularly injury certificate of injured persons, do not reveal any corresponding injury, which can be attributed to present applicants. Investigation

papers show that investigation is almost complete. Therefore, custodial detention of the applicants is not warranted in the facts of the present case. In that view of the matter, applicants are entitled for protection.

3. Application is, therefore, allowed. In the event of arrest of applicants in connection with Crime No.0322/2022, registered with Nandurbar City Police Station, Nandurbar, for offences punishable under Sections 307, 326, 143, 147, 148 and 149, of IPC and Sections 37(1), 37(3) and 135 of the Maharashtra Police Act, 1951, applicants shall be released on executing P.R. and S.B. of Rs.10,000/- each, with one surety each in the like amount. Applicants shall attend concerned police station everyday during 01/11/2022 to 06/11/2022, between 10:00 a.m. to 12:00 p.m. Applicants shall not tamper with the prosecution evidence.

(NITIN B. SURYAWANSHI, J.)