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

**ANTICIPATORY BAIL APPLICATION NO.1319 OF 2022**

Ajinath Bhausahab Wagh

APPLICANT

VERSUS

The State of Maharashtra

RESPONDENT

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Mr. R. N. Chavan h/f Mr. V. A. Bagdiya, Advocate for applicant  
Mr. V. S. Badakh, APP for respondent - State

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**[CORAM : NITIN B. SURYAWANSHI, J.]**

**DATE : 24<sup>th</sup> NOVEMBER, 2022**

**ORDER :**

1. The applicant apprehends arrest in connection with Crime No.277 of 2022 registered with Phulambri Police Station, District – Aurangabad for the offence punishable under section 308, 353, 332, 427, 143, 144, 145, 147, 148, 149, 160 of the Indian Penal Code and u/s 135 of the Maharashtra Police Act.
2. The FIR is lodged by Police Naik alleging that when he was at Bandobast duty at village Phulambri, there was wrestling match, at that time, six accused persons, named in the FIR, indulged in fighting and when the police tried to prevent them, they assaulted the police inspector and other police personnel present there and obstructed them from discharging their official

duty. The applicant is named in the FIR and role attributed to him is that he, along with other accused persons, slapped the informant and caused nail scratches to him and obstructed him from discharging his official duty.

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

4. Out of total 18 accused persons, named in the FIR, most of the accused persons are released either on regular or anticipatory bail. The applicant is named by the informant and one more witness, however, other five eyewitnesses do not name him.

5. One of the co-accused, against whom similar allegations like that of the applicant are levelled, is granted anticipatory bail by the Sessions Court. The investigation appears to be almost complete and the custodial detention and / or interrogation of the applicant is not warranted.

6. The application is, therefore, allowed by confirming the interim order dated 30<sup>th</sup> September, 2022. Till filing of the charge sheet, the applicant shall attend the concerned police station as

and when called by the Investigating Officer and shall co-operate in the investigation. The applicant shall not tamper prosecution evidence.

**[NITIN B. SURYAWANSHI]**  
**JUDGE**

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