

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

ANTICIPATORY BAIL APPLICATION NO.1331 OF 2022

**PRABHU S/O POSHETTI KARLOD
VERSUS
THE STATE OF MAHARASHTRA**

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Mr. H. I. Pathan, Advocate for Applicant
Mr. V. S. Badakh, APP for Respondent – State, Assisted by
Mr. P. S. Anerao, Advocate

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 18th NOVEMBER, 2022

PER COURT :

1. Applicant is apprehending arrest in Crime No.302/2022, registered with Bhokar Police Station, Nanded, for offence punishable under Sections 307, 324, 323 read with 34 of the Indian Penal Code.

2. FIR in question is lodged by informant Gajanan Maruti Nakitwad, wherein it is alleged that on 26/08/2022 at about 06:00 to 06:30 p.m. when he was going to cattle shade his neighbour Yogesh Prakash Kanmod came there and gave him dash. When informant questioned him, quarrel ensued. Father of Yogesh, Prakash Kanmod and his wife Manisha came there and they all assaulted informant. At that time, applicant who is relative of Yogesh, also came there and assaulted informant. He then handed over knife to Yogesh and with that knife Yogesh inflicted injury on

the stomach of informant.

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

4. In the FIR as well as in investigation papers, active participation of applicant in the crime in question can be seen. Applicant has facilitated the crime committed by Yogesh by making him available the weapon used in crime. Presence of applicant is stated by eye witnesses. Taking into consideration serious allegations levelled against applicant and injury certificate of informant, presence of applicant is necessary for effective investigation. Main accused Yogesh and his father Prakash are in custody. In that view of the mater, applicant does not deserve discretionary relief of anticipatory bail. Application is, therefore, rejected.

5. At this stage, learned advocate for applicant seeks continuation of interim protection granted to the applicant, so as to enable him to approach the Hon'ble Apex Court. Interim protection granted earlier to the applicant is continued for a period of two weeks from today.

(NITIN B. SURYAWANSHI, J.)