

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1397 OF 2022

Vitthal Ramji Nagare And Another ...Applicants

Versus

The State Of Maharashtra & Another ...Respondents

Mr. B.N. Magar, Advocate for the applicants.

Mr. A.V. Deshmukh, APP for respondents.

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 1st DECEMBER, 2022

ORDER :

1. The applicants are apprehending arrest in Crime No. 218/2022 registered with Aundha Nagnath Police Station, for the offences punishable under sections 307, 395, 324, 323 and 504 of the Indian Penal Code.

2. First Information Report is lodged by one Parmeshwar Nagare alleging that on account of dispute of agricultural land, applicant No. 1 assaulted his cousin Sudhakar and applicant No. 2 has assaulted on his hand with iron rod.

3. Heard the learned advocate for the applicants and learned Additional Public Prosecutor for respondents. Perused the investigation papers.

4. It appears from the record that there is long standing dispute about agricultural land between applicants and informant's side. The Civil Court's orders, so far are in favour of the applicants. The applicants have lodged First Information Report about the same incident against 10 accused persons from informant's side including informant which is registered at Crime No. 217/2022 registered with Aundha Nagnath Police Station, for the offences punishable under sections 307, 395, 324, 447, 323, 107 of Indian Penal Code. This First Information Report appears to be prior in point of time.

5. The offence is registered in the month of July and it appears that investigation is almost complete. The weapons allegedly used in crime are recovered from the applicants. The applicants have co-operated in the investigation and further custodial interrogation of the applicants is not necessary in the facts of the present case.

6. The application is therefore allowed in terms of interim order dated 21st November, 2022.

7. Till filing of charge sheet, the applicants shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation. The applicants shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]