

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1425 OF 2022

Vaibhav Gulabrao Rokade

...Applicant

Versus

The State Of Maharashtra & Another

...Respondents

Mr. S.G. Kawade, Advocate for the applicant.

Mrs. P.V. Diggikar, APP for respondents.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 1st DECEMBER, 2022

ORDER :

1. The applicant apprehends his arrest in Crime No. 288/2021 registered with Palam Police Station, Parbhani, for the offences punishable under sections 307, 324, 326, 323, 337, 338, 143, 147, 148, 149, 504, 506, under section 135 of Maharashtra Police Act, 1860 and under section 7 of the Criminal Law (Amendment) Act, 1932.

2. First Information Report is lodged by one Krushna Siraskar against 28 accused persons alleging that he and his relatives were assaulted by accused persons with iron rod, sticks. During the incident stones were also pelted. First

Information Report came to be lodged on 25.12.2021 of the incident dated 22.12.2021.

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

4. The role attributed to the applicant in the present crime is that the applicant assaulted Nagesh Siraskar on head with iron rod. Perusal of injury certificate of Nagesh shows that simple injury on occipital region. Charge sheet is filed in the present crime in the month of March-2022. Out of 28 accused persons, 18 were arrested and are released on regular bail. Weapons allegedly used in the crime are already recovered. In view of above pre-trial custodial detention of the applicant is not necessary in the facts of the present case. The applicant deserves protection.

5. The application is therefore allowed in terms of interim order dated 19.10.2022. The applicant shall co-operate in the investigation and shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]