

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1462 OF 2022

Chandrashekhar Mahendra Sonawane
And Others

...Applicants

Versus

The State Of Maharashtra

...Respondents

Mr. Rahul A. Tambe, Advocate for the applicants.
Mr. A.V. Deshmukh, APP for respondents.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 29th NOVEMBER, 2022

ORDER :

1. The applicants apprehend their arrest in Crime No. 351/2022 registered with Tuljapur Police Station, Osmanabad, for the offences punishable under section, 143, 147, 148, 323, 504, 452 and 354 of Indian Penal Code.

2. First Information Report is lodged by one Kanta Sonwane alleging that on 25.09.2022 on account of dispute occurred in the afternoon, applicants along with other accused persons assaulted her with sticks on back, west and thigh. Her husband was assaulted on thigh, both the hands and back.

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

4. The applicants and the informant are from the same brotherhood. From the applicants side two non cognizable offences are registered on 25.09.2022 alleging that informant's side abused and gave threats to them. In the second complaint it is stated that one of the accused in the present First Information Report was assaulted by one Maroti with fists and kick blows.

5. There is delay in lodging the First Information Report. Only one simple injury is suffered by informant and her husband. Prima facie allegations of the informant are not supported by the medical report. False implication on account of previous dispute cannot be ruled out at this stage. In that view of the matter, applicants deserve protection.

6. The application is therefore allowed by confirming the interim order dated 21st October, 2022.

7. Till filing of charge sheet, the applicants to attend the concerned police station as and when called by the investigating officer and co-operate in the investigation.

[NITIN B. SURYAWANSHI, J.]