

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1497 OF 2022

Sachin Bhagoji Ujgare Applicant

Versus

The State of Maharashtra
and another Respondents

....
Mr. Pramod N. Muley, Advocate for the Applicant
Mr. V.s. Badakh, APP for Respondents - State
....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 21st NOVEMBER, 2022

ORDER :

1. The applicant apprehends his arrest in Crime No. 0280 of 2022 registered with Majalgaon Rural Police Station, District Beed for the offences punishable under sections 498-A, 307, 323, 504, 506 read with 34 of the Indian Penal Code.

2. Panchashila - wife of the applicant has lodged the FIR in question alleging that the applicant and his relatives went to Maternal house of the informant so as to bring her for cohabitation. When the informant refused to come, the applicant tried to administer poisonous substance to the informant. Due to resistance of the informant, the poisonous substance fell on her face and *saree*. The other persons

accompanying the applicant assaulted her by slaps and kick blows. The applicant was threatening the informant to kill her. At that time, the informant made hue and cry and when the villagers came there and the applicant and others fled away from the spot.

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

4. *Prima facie*, there appears substance in the submission of the applicant that as the applicant issued a notice to the informant on 10/08/2022 asking her to come for cohabitation, with a view to give counter blast, the FIR in question is lodged on 24/09/2022. On 19/10/2022, supplementary statement of the informant is recorded in which she has alleged that the applicant gave her threats. One of the co-accused Balu Ujgare handed over the sword to the applicant. The applicant pointed it to the neck of the informant. At that time, Anil Parad came there and to on seeing him, all the accused persons ran away from the spot. These allegations, *prima facie*, appear to be after thought.

5. The applicant was granted interim protection and he has attended the police station and co-operated in the investigation.

6. Taking into consideration the allegations made in the FIR and the papers of investigation, custodial interrogation of the applicant is not necessary.

7. The application is therefore allowed by confirming interim protection.

8. The applicant shall attend the concerned police station as and when called by the investigating officer and shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

S.P Rane