

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

Pramod Balasaheb Pacharne and Another	APPLICANTS
VERSUS	
The State of Maharashtra and Another	RESPONDENTS

Balasaheb Asraj Pacharne and Others
VERSUS
The State of Maharashtra and Another

APPLICANTS
RESPONDENTS

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1. The applicants apprehend their arrest in connection with Crime No.388 of 2022 registered with Rahata Police Station for the offence punishable under sections 324, 323, 504, 506, 143, 147, 148, 149, 326, 307 of the Indian Penal Code
2. Heard learned advocate for the applicants, learned

Additional Public Prosecutor for the State and the learned advocate for the informant. Perused the papers of investigation.

3. Admittedly, the crime was initially registered for the offence punishable under sections 324, 323, 504, 506, 143, 147, 148, 149 and 326 of the Indian Penal Code. Pursuant to the registration of crime, the applicants were arrested and remanded to police custody and the weapons allegedly used in the crime, are recovered.

4. It appears from the investigation papers that after about one month's period, supplementary statement one of the injured in the crime is recorded and on the basis of the same, section 307 of the Indian Penal Code is added in the present crime. After addition of section 307 of the IPC, the applicants moved the Sessions Court seeking anticipatory bail, however, said application is rejected. Hence, the present application.

5. Taking into consideration the fact that the applicants were initially arrested and were remanded to police custody and the weapons allegedly used in the crime are already recovered, pre-trial custodial detention of the applicants is not necessary.

6. Learned advocate for the informant insisted for imposing stringent conditions on the applicants, as they are residents of

the same area.

7. In the light of the above and considering the fact that the applicants have no criminal antecedents, the applications are allowed by confirming interim order. Till filing of the charge sheet, the applicants shall attend the concerned police station on every Sunday between 10.00 a.m. and 12.00 noon and shall co-operate in the investigation.

8. The applicants shall not indulge in similar offence henceforth. The applicants shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

drp/aba1531-22