

**ANTICIPATORY BAIL APPLICATION NO.1532 OF 2022**

Versus

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DATE : 29<sup>th</sup> NOVEMBER, 2022

**ORDER :**

2. Applicants No. 1 and 2 are co-brothers, applicant No. 3 is uncle and applicant No. 4 is brother-in-law of informant-Sandipan Pokare. Informant lodged a private complaint i.e. Criminal Case No. 364/2022 in the Court of learned Judicial Magistrate First Class, Georai, alleging that on 03.06.2022 at about 12.30 pm, when he was in the agricultural field, applicants

in collusion came there and abused and assaulted him with fists and kick blows. Applicants No. 1 and 2 fell him on the ground and caught his hands and legs. Applicants No. 3 and 4 forcibly administered *rogor* insecticide and tried to kill him.

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

4. Apart from the fact that First Information Report of alleged incident dated 03.06.2022 is registered on 19.08.2022, medical certificate does not support the case of the informant. There appears dispute between the informant and the applicants, and therefore false implication cannot be ruled out at this stage. Custodial detention of the applicants at pre-trial stage in the facts of the present case is therefore not warranted.

5. The application is therefore allowed.

6. In the event of arrest of applicants in connection with Crime No. 403/2022 registered with Gevrai Police Station, Beed, for the offences punishable under section 307, 323, 504, 506

read with 34 of Indian Penal Code, the applicants shall be released on executing personal bond of Rs. 15,000/- each, with one surety each in the like amount.

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

**[NITIN B. SURYAWANSHI, J.]**