

ANTICIPATORY BAIL APPLICATION NO.1596 OF 2022

Narayan Rambhau Magar And Others ...Applicants

Versus

The State Of Maharashtra And Another ...Respondents

Mr. M.L. Wankhade, Advocate for the applicants.

Mr. A.V. Deshmukh, APP for respondents.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 13th DECEMBER, 2022

ORDER :

1. After arguing for some time, when this Court was not inclined to grant relief to applicant No. 1, the learned advocate for the applicants seeks permission to withdraw the application to the extent of applicant No. 1-- Narayan Rambhau Magar.
2. Permission granted. The application of applicant No. 1- Narayan Rambhau Magar is disposed of as withdrawn.
3. The applicants apprehend their arrest in Crime No. 287/2022 registered with Jafrabad Police Station for the offences punishable under sections 307, 324, 323, 504 read with 34 of the Indian Penal Code.

4. First Information Report is lodged by one Siddharth Bhimrao Parwe against four accused persons alleging that, accused No. 1 allegedly inflicted blow with spade on the head of informant. Other accused persons assaulted him on shoulder and left hand. It is further alleged that his wife was also assaulted with stick on leg and middle finger of right hand.

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

6. As per injury certificate of informant he has suffered incise wound on his head. Except that there is no other injury suffered by him. His wife has suffered incise wound on left leg. These injuries are simple and are attributed to accused No. 1.

7. Considering above aspects, pre-trial custodial detention of applicants No. 2 to 4 is not warranted in the facts of the present case. The applicants No. 2 to 4 therefore deserve protection.

8. In the result, application is allowed.

9. In the event of arrest of Applicant No. 2- Chandrakala Narayan Magar, Applicant No. 3- Lata Vijay Sable and Applicant No. 4- Gaurav @ Gautam Rajesh Bhamble, in connection with Crime No. 287/2022 registered with Jafrabad Police Station for the offences punishable under sections 307, 324, 323, 504 read with 34 of the Indian Penal Code, they shall be released on executing P.B. and S.B. of Rs. 15,000/- each with one surety each in the like amount.

10. Till filing of charge sheet, applicants shall attend the concerned police station as and when called by the investigating officer. The applicants shall not indulge in similar offence. The applicants shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]