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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1646 OF 2022

Devidas Vishwanath Mali and Another

APPLICANTS

VERSUS

The State of Maharashtra and Another

RESPONDENTS

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Mr. Ganesh J. Kore, Advocate for the applicants
Mrs. P. V. Diggikar, APP for respondent - State

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 21st DECEMBER, 2022

ORDER :

1. The applicants apprehend their arrest in Crime No. 398 of 2022 registered with Tuljapur Police Station, Taluka – Tuljapur, District – Osmanabad for offence punishable under sections 143, 147, 148, 149, 307, 324, 504 and 506 of the Indian Penal Code.
2. The FIR is lodged by Sambhaji Kapse against 7 accused persons alleging that all the accused persons assaulted him on account of dispute of right of way to field, with axe, stick and chopper.
3. Heard learned advocate for the applicants and the learned Additional Public Prosecutor for the State. Perused the

investigation papers.

4. The role attributed to the applicants is that the applicants have assaulted the informant and other witness with fists and kick blows. Perusal of the injury certificates shows that the informant has suffered CLW, which is simple injury and the injured has suffered one contusion on back, which is also simple injury. The alleged weapons, used in the crime, are already seized by the Investigating Officer. Nothing is to be recovered from the applicants.

5. Considering the above aspects, the applicants deserve protection. The application is, therefore, allowed by confirming the interim order. Till filing of the charge sheet, the applicants shall attend the concerned police station as and when called by the Investigating Officer. The applicants shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

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