

drp

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1671 OF 2022

Deepak Bapurao Rokde

APPLICANT

VERSUS

The State of Maharashtra and Another

RESPONDENTS

.....

Mr. N. L. Jadhav, Advocate for the applicant
Mr. N. T. Bhagat, APP for respondent - State

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 13th DECEMBER, 2022

ORDER :

1. The applicant apprehends his arrest in Crime No. 203 of 2022 registered with Wadwani Police Station, District – Beed for offence punishable under section 307, 323, 504 read with 34 of the Indian Penal Code.
2. Rangnath Gugale lodged FIR against the applicant and his brother Vinod, alleging that Vinod owed him an amount of Rs.3,50,000/-. When he demanded the said amount from accused No.1 - Vinod, Vinod assaulted him on head with axe and present applicant allegedly assaulted with belt on his back and legs.
3. Heard learned advocate for the applicant and the learned

Additional Public Prosecutor for the State. Perused the investigation papers.

4. In the injury certificate of the informant, three simple injuries on parietal region are mentioned. These injuries are attributable to accused No.1 – Vinod. Except these, there is no injury seen on the person of the informant, which can be attributed to the applicant.

5. In this view of the matter, possibility of false implication of the applicant cannot be ruled out. Pre-trial custodial detention of the applicant, in the facts of the present case, is not warranted. The application is, therefore, allowed.

6. In the event of arrest of the applicant in Crime No.203 of 2022 registered with Wadwani Police Station, District – Beed, for offence punishable under section 307, 323, 504 read with 34 of the Indian Penal Code, the applicant be released on furnishing PB and SB of Rs.15,000/- with one surety in the like amount. Till filing of the charge sheet, the applicant shall attend the concerned police station as and when called by the Investigating. The applicant shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE