

Versus

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DATED : 5 DECEMBER 2022

P.C. :-

2. The applicants are apprehending their arrest in Crime No. 124 of 2022 registered at Navin Panvel Police Station, for the offence punishable under Sections 143, 144, 148, 307, 452, 427 of Indian Penal Code, Sections 37(1), 137 of the Maharashtra Police Act, 1951 and Sections 3, 25 of the Arms Act, 1959.

3. I have heard the learned Counsel for the applicants and the learned APP for the State.

4. According to the prosecution the present applicants alongwith other co-accused assaulted Bami Bhagat and Raju Bhagat by knife and sword and attempted to kill them, due to previous dispute.

5. The learned Counsel for the applicants submits that due to dispute between the parties the possibility of false implication cannot be ruled out. It is submitted that one day prior to the present incident, the mother of the applicant No.1 had lodged complaint against the complainant under Sections 323, 504 of Indian Penal Code and thus present false complaint came to be lodged. It is submitted that applicants may therefore be released on anticipatory bail.

6. The learned APP for the State submits that the applicants assaulted the injured by sword and knife. It is submitted that considering the nature of offence, the applicants may not be released on anticipatory bail.

7. I have perused the FIR. According to the prosecution the present applicants assaulted the injured Bami Bhagat and Raju Bhagat by sword and knife. Considering the nature of weapons used to assault the injured, I am not inclined to grant anticipatory bail to the present applicants. In the result, the following order is passed :

(i) Application is rejected.

(N.R. BORKAR, J.)