

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 694 OF 2022

Pawan S/o Ashokrao Bhoyar and others .Vs. State of Maharashtra, PS. Beltarodi, Nagpur.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri U.P. Dable, Advocate for the applicants.

Shri V.A. Thakre, A.P.P. for the non-applicant /State.

Shri A.K. Choube, Advocate for Assist to prosecution.

CORAM : ANIL S. KILOR, J.

DATED : 28/11/2022

1. Heard.
2. The applicants are seeking anticipatory bail in connection with Crime No. 392/2022 registered with Police Station Beltarodi, District Nagpur for the offences punishable under Sections 326, 323, 324, 504 and 506 read with Section 34 of the Indian Penal Code.
3. Learned Advocate Shri U.P. Dable, for the applicants seeks leave to carry out the amendment in the title clause.
4. Permission is granted. The learned counsel for the applicants to carry out the amendment forthwith.
5. After hearing for some time and on expressing disinclination to grant bail to the applicant No.3, against whom there is sufficient medical evidence, the learned counsel for the applicants, on instructions, seeks permission to withdraw the present application qua, the applicant No.3- Akshay Namdeo Bhoyar.

6. As far as the other applicant Nos. 1,2 and 4 are concerned, considering the medical report, prima-facie, it appears that because of the applicant Nos. 1,2 and 4, the complainant sustained simple injury. The case-diary and the FIR shows that there is old dispute and earlier five NCs, registered against the applicants.

7. Considering the nature of injury and the offences under which, the crime has been registered, I am of the opinion that, custodial interrogation of the applicant Nos. 1,2 and 4 is not necessary. However, considering the fact that, on earlier five occasions, due to the dispute between the parties five NCs were registered at the instance of the complainant against the applicants, some stringent conditions need to be imposed while granting bail. Accordingly, I pass the following order:

- a) The criminal application is partly **allowed**.
- b) The criminal application qua the applicant No.3-Akshay Namdeo Bhoyar is disposed of as withdrawn. Consequently, the interim order granted to him is vacated.
- c) The order granting *ad interim* anticipatory bail dated 30/09/2022, is hereby confirmed qua, the applicant No.1- Pawan Ashokrao Bhoyar, applicant No.2-Pravin s/o Shalikram Bhoyar and the applicant No.4-Ravindra Shalikrao Bhoyar.
- d) The applicant Nos. 1, 2 and 4 shall not enter into the territorial jurisdiction of Beltarodi Police Station, Nagpur city, till the culmination of the trial, except for the trial.

JUDGE