

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

Anticipatory Bail Application (ABA) No. 737 of 2022

Avinash Ganpat Jadhav and others

Versus

State of Maharashtra, through Police Station Officer, Police Station
Washim (Rural), Tq. & Dist. Washim

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

Court's or Judge's Order

Shri V.S. Mamothe, Advocate for the applicant.

Shri S.D.Sirpurkar, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 5th DECEMBER, 2022.

The applicant is seeking pre-arrest bail under Section 438 of the Code of Criminal Procedure in Crime No. 347 of 2022 registered with Police Station Washim (Rural) for the offence punishable under Sections 324, 326, 504 read with Section 34 of the Indian Penal Code.

2. The informant in the report lodged to the police states that first husband of his wife and brothers of him, assaulted the informant and thereupon he was hospitalized. In the medical examination a fracture was noted as proximal shaft of tibia with pop slab in situ.

3. After going through the First Information Report and the case diary, it can be seen that no specific role is attributed to any of the accused. There is nothing to show who is the author of the above referred injury. Moreover, the investigation is almost completed.

4. Thus, considering the nature of allegations and as no specific role is attributed to any of the accused, it is difficult to prima facie say which accused is responsible for the injury caused to the informant. In the circumstances, I am of the opinion that the custodial interrogation of the applicants is not necessary. Accordingly, I pass the following order.

- i. Criminal application is allowed;
- ii. Order dated 19th October, 2022 is hereby confirmed.

The criminal application is disposed of.

[ANIL S. KILOR, J.]

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