

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.3 OF 2023

**SAINATH MAROTI MANCHALWAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Mr. A. B. Kharosekar, Advocate for Applicant
Mrs. R. P. Gaur, APP for Respondents – State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 24th JANUARY, 2023

PER COURT :

1. Applicant apprehends arrest in Crime No.466/2021, registered with Bhokar Police Station, Nanded, for offence punishable under Sections 452, 354, 323, 504 r/w 34 of the Indian Penal Code.
2. Informant has lodged the FIR alleging that on 12/12/2021 when she was alone at home, at about 11:15 a.m., applicant along with three co-accused unauthorizedly entered her house and asked whereabouts of her brother and started abusing the informant. Then the applicant with ill intention pulled her by hand in the house. The co-accused accompanied him. On her raising hue and cry the neighbours and relatives of the informant came there. Then the accused fled from the spot.
3. Heard learned advocate for applicant and learned

Additional Public Prosecutor for State. Perused the investigation papers.

4. One of the co-accused named in the FIR Nagnath Manchalwad has lodged FIR against family members of the informant stating that on 12/12/2021, at about 09:30 to 10:00 a.m. accused came in the field and assaulted him with dagger and other persons assaulted with fists and kick blows. Accordingly offence is registered at C.R. No.463/2021, with Bhokar Police Station, Nanded, for offence punishable under Sections 324, 323, 504, 506 r/w 34 of the Indian Penal Code. According to the applicant, present FIR is lodged to give counterblast to the said FIR.

5. Charge-sheet is filed in the present crime on 29/06/2022 and the case is numbered as R.C.C. No.71/2022. Considering the facts of the present case, pre-trial custodial detention of applicant is not necessary.

6. In the result, application is allowed by confirming interim order dated 03/01/2023. Till filing of charge-sheet, applicant shall attend concerned police station as and when called by Investigating Officer and cooperate in the investigation. Applicant shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)