

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

ANTICIPATORY BAIL APPLICATION NO.12 OF 2023

**SHUBHAM RAOSAHEB SATHE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Mr. Adinath B. Jagtap, Advocate for Applicant
Mrs. R. P. Gour, APP for Respondents – State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 19th JANUARY, 2023

PER COURT :

1. Applicant apprehends arrest in Crime No.1025/2022, registered with Newasa Police Station, Ahmednagar, for offence punishable under Sections 307, 323, 143, 144, 147, 148, 149, 504, 506 of the Indian Penal Code.
2. FIR is lodged by Dasharath Haribhau Ainar, alleging that on 16/11/2022, quarrel was going on between the students of his college and outside persons. When the informant tried to intervene and pacify, some unknown persons assaulted him, so also, one Paraji Tagad who was accompanying him, was assaulted on the head with thick bamboo cane.
3. Heard learned advocate for applicant and learned Additional Public Prosecutor for State. Perused the investigation papers.

4. FIR was lodged against Vishal Sanjay Sathe and other unknown accused persons. During the course of investigation seven accused persons were arrested. Bamboo cane used in the crime is recovered.

5. From the FIR and investigation papers, it is clear that vague and general allegations are levelled against present applicant and his involvement is *prima facie* not made out from the injury certificate placed on record.

6. Applicant was granted interim protection and he has cooperated in the investigation. Nothing is to be recovered from the applicant. Pre-trial custodial detention of applicant is not necessary in the facts of the present case.

7. In the result, application is allowed by confirming interim order dated 04/01/2023. Till filing of charge-sheet, applicant shall attend concerned police station as and when called by investigating officer and shall cooperate in the investigation. Applicant shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)