

Bhagyawant Punde

3. FIR is lodged by Shankar Zende alleging that on 08.12.2022, at about 11.00 am on account of dispute about compound, six accused persons (all family members of the applicant) assaulted him with stick, iron rod, fist and kick blows. The applicant allegedly assaulted with iron rod on the elbow of informant. Co-accused Vaibhav assaulted with iron rod on the right hand wrist of informant.

4. Heard the learned advocate for the applicant and learned Additional Public Prosecutor for the respondents. Perused the investigation papers.

5. Out of six accused persons, Accused Nos. 3 to 6 were granted anticipatory bail by the Sessions Court. Weapons allegedly used in the crime were recovered from them. Injury certificate shows that informant has suffered fracture injury to the right ulna. Except that there are no injuries. Said injury is attributable to accused Vaibhav. Though, it is alleged that the applicant assaulted near elbow of informant, no such injury is revealed from the injury certificate. Investigation appears to be almost complete.

6. Considering the facts of the present case and as nothing is to be recovered from the applicant, pre-trial custodial detention of the applicant is not necessary. The applicant therefore deserves protection.

7. In the result, application is allowed.

8. In the event of arrest of applicant- Amol Bhaskar Zende, in connection with Crime No. Crime No. 522/2022, registered with Belwandi Police Station, Ahmednagar, for offences punishable under sections 143, 147, 148, 149, 323, 324, 326, 504 and 506 of the Indian Penal Code, he shall be released on executing personal bond of Rs. 15,000/- with one surety in the like amount.

9. Till filing of charge sheet, applicant shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation. The applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]