

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.59 OF 2023

Anand Vishwanath Khade Applicant
Versus
The Superintendent of Police, Ahmednagar
and another Respondents

.....
Mr. Rahul R. Karpe, Advocate for the Applicant
Mr. A.A. Jagatkar, APP for Respondents – State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 19th JANUARY, 2023

ORDER :

1. The applicant apprehends his arrest in connection with Crime No.74 of 2022 registered with Kharda Police Station, District Ahmednagar for offences punishable under sections 307,324, 504, 506 read with 34 of the Indian Penal Code.

2. FIR is lodged by Bhausahab Narayan Jaybhay alleging that on 05/12/2022 at 6.15 p.m., when he was going to agricultural land to start water pump, his brother-in-law Vishwanath Khade asked him as to why he is proceeding from his door, he threw chilly powder in his eyes, and his son Anand Khade (applicant) came there with a chopper, and inflicted blow of chopper on left ear. The informant caught the chopper in both of his hands, due to which he suffered injury to right

hand. He received bleeding injuries in the incident. On his raising hue and cry, his brother Ajinath came to mediate. Vishwanth assaulted Ajinath with stick.

3. Heard learned advocate for the applicant and learned Additional Public Prosecutor for the State. Perused the investigation papers.

4. From the FIR and the investigation papers, the active role played by the applicant is evident. The applicant has assaulted informant with chopper. Injuries suffered by the informant, i.e. contusion to left ring finger, he has also fracture to his mid phalanx of left ring finger are grievous injuries, and CLW on left temporal region is simple injury. These injuries are caused by attack of the applicant. Chopper used by the applicant is yet to be recovered. Custody of the applicant is therefore necessary for effective investigation. In this view of the matter, applicant is not entitled for anticipatory bail.

5. The application is, therefore rejected.

[NITIN B. SURYAWANSHI]
JUDGE

S.P. Rane