

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.118 OF 2023

Adinath @ Ajay s/o Bhaskar Waghmode ... **APPLICANT**

VERSUS

The State of Maharashtra & anr. ... **RESPONDENTS**

.....

Mr. S.R. Andhle, Advocate for applicant
Mr. A.S. Shinde, A.P.P. for respondents, assisted by
Mr. N.B. Narwade, Advocate for original complainant

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CORAM : R.G. AVACHAT, J.

DATE : 21st MARCH, 2023

P.C. :

Heard. Issue notice to respondent returnable on 5th March 2023. Learned A.P.P. waives service for the respondents.

2. The applicant is alleged to have assaulted the victim Yash on head with iron rod. It is informed by learned A.P.P. that, in spite of instructions, the concerned injured has not produced before investigating officer the injury certificate. On the other hand, the learned counsel for the intervener placed on record injury certificate of Yash, suggesting him to have suffered C.L.W. on forehead. The injury certificate is silent to disclose the nature of injury suffered.

3. Learned counsel for the applicant requests for leniency on the ground that the applicant has successfully cleared three stages of recruitment in Constabulary. The applicant has been protected by order dated 2/2/2023. In view of the same, the application is allowed. The ad-interim order dated 2/2/2023 passed by this Court is made absolute.

4. The applicant shall not tamper with the prosecution evidence and shall appear before the investigating officer as and when required for the purpose of investigation.

(R.G. AVACHAT, J.)

fmp/-