

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

**914 ANTICIPATORY BAIL APPLICATION NO.128 OF 2023**

1. Akash Kisan Kaikadi

2. Sunny Kisan Kaikadi ...Applicants

**VERSUS**

1. The State of Maharashtra

2. The Superintendent of Police ...Respondents

...  
Advocate for Applicants : Ms. Varsha Ghanekar h/f Mr.Ghanekar  
Nilesh S.

APP for Respondents-State : Ms. R.P.Gaur

...

**CORAM : R. G. AVACHAT, J.**

**DATE : 29.03.2023.**

**PER COURT :**

1. Heard.

2. The applicants are alleged to have assaulted the wife of the informant with sticks as a result, she suffered simple injury. The informant is alleged to have suffered grievous injuries due to assault of co-accused, who is not before this Court.

3. The learned APP submits that the criminal liability of the

applicants for the offence punishable under Section 326 of the Indian Penal Code can be invoked with the aid of Section 34 of the IPC, since they have participated in the incidence. She is correct. The applicants have been attributed with the act of causing simple injury to the wife of the informant. Nothing is to be recovered from them. As such, their custodial interrogation is unwarranted. Therefore, the order granting them interim protection dated 31.01.2023 is, made absolute on the same conditions.

4. The application is allowed and disposed of.

**( R. G. AVACHAT )**  
**JUDGE**

mahajansb/