

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

ANTICIPATORY BAIL APPLICATION NO.182 OF 2023

**ANAND S/O BHAGWANRAO HOKE AND ANOTHER
VERSUS**

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. S.S. Thombre, Advocate for Applicants
Mr. A.V. Deshmukh, APP for Respondents – State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 01st MARCH, 2023

PER COURT :

1. Applicants apprehend arrest in Crime No.288/2022, registered with Dharur Police Station, Beed, for offence punishable under sections 452, 324, 323, 504, 506 read with 34 of the Indian Penal Code.

2. FIR is lodged by Madhuri Prashant Hoke against applicant No.1, her brother-in-law and applicant No.2, her sister-in-law. It is alleged that on 09/12/2022, at 07:30 p.m. in the evening when she was sitting at her maternal home, both the applicants came there and threatened her to withdraw the case filed by her against her husband Prashant. They were saying that due to that case Prashant is not getting bail. They started abusing and assaulted her with fists and kick blows. Applicant No.1 poured petrol on her and applicant No.2 threatened to ignite her. When the

informant raised hue and cry, one Ankush Mali came and saved her.

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

4. Perusal of statement of Ankush Mali reveals that he reached at the house of informant after the alleged incident was over.

5. Admittedly, there is matrimonial dispute going on between informant and her husband. Various criminal and civil cases are filed by the informant and her husband's side against each other. Possibility of false implication of the applicants cannot be ruled out.

6. Taking into consideration the overall attending facts, and the fact that applicants were granted interim protection and they have cooperated in the investigation, as nothing is to be recovered from applicants, pre-trial custodial detention of applicants in the facts of the present case is, therefore, not necessary.

7. In the result, application is allowed.

8. In the event of arrest of applicants in Crime No.288/2022, registered with Dharur Police Station, Beed, for

offence punishable under sections 452, 324, 323, 504, 506 read with 34 of the Indian Penal Code, applicants be released on executing Personal Bond of Rs.15,000/- each, with one surety in the like amount.

9. Till filing of charge-sheet, applicants shall attend concerned police station as and when called by the investigating officer. Applicants shall not tamper prosecution evidence.

10. Applicants shall not enter village Thetegavhan, Taluka Dharur, District Beed, where the informant is residing presently.

(NITIN B. SURYAWANSHI, J.)