

ANTICIPATORY BAIL APPLICATION NO.204 OF 2023

Versus

Mr. Nikiteshkumar Kotangale i/by. Mr. Mukund Gitte, Advocate for applicants.

Mr. R.P. Gour, APP for respondents.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 27th FEBRUARY, 2023

ORDER :

1. Applicants apprehend arrest in Crime No. 29/2023, registered with Kej Police Station, Beed, for offence under section 307 read with 34 of the Indian Penal Code.

2. FIR is lodged by Asha Wagh alleging that on 20.01.2023, at about 3.10 pm, applicants came in front of her house at Kej, District-Beed, when she was going towards her office for duty by walking. When she was on rough road, a vehicle came in front of her and stopped. Driver asked address to her. Applicants alighted from the said car and applicant No. 1

came from behind and pressed neck of informant with the help of rope like article. Applicant No. 2 allegedly poured petrol on her person. Applicant No. 1 was searching for lighter. However, informant pushed him and rescued herself and ran away from the spot. She fell down and again she got up and ran away.

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

4. Applicants claim that on the date and time of incident, they were at Pimpri Chinchwad, Pune. Said fact is confirmed by CCTV footage of residential society of the applicants and from State Bank of India, Chinchwad, branch obtained by the investigation officer..

5. It appears that there is previous dispute and case is pending between applicants and informant. False implication of applicants in the present case is *prima facie* apparent. The applicant therefore, deserve protection. In the result, application is allowed.

6. In the event of arrest of applicants in connection with Crime No. 29/2023, registered with Kej Police Station, Beed, for offence under section 307 read with 34 of the Indian Penal Code, applicants shall be released on executing personal bond of Rs. 15,000/- each with one surety in the like amount.

7. Till filing of charge sheet, applicants shall attend the concerned police station as and when called by the investigation officer. The applicants shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]