

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.284 OF 2023

Vishnu Bhagwan Garje & anr. ... APPLICANTS

VERSUS

The State of Maharashtra & anr. ... RESPONDENTS

.....
Mr. Chaitanya C. Deshpande, Advocate holding for
Mr. S.S. Rathi, Advocate for applicants
Mr. N.T. Bhagat, A.P.P. for respondents
.....

CORAM : R.G. AVACHAT, J.

DATE : 15h MARCH, 2023

P.C. :

Heard. It is a case of cross complaint. Both the applicants herein and the informant have suffered injuries in the same incident. Photographs on record indicate the applicant Vishnu has suffered grievous injury. There are medical papers to suggest that he is to undergo an operation immediately. He apprehends arrest in the present crime and, therefore, may not be able to have an appropriate treatment.

2. The learned A.P.P. was requested to place on record the injury certificate of the informant. It is informed that the informant is not cooperating and, therefore, the informant's

injury certificate could not be secured and placed on record. For want of informant's injury certificate, gravity or seriousness of the offences gets diluted. In the aforesaid backdrop, the Court is inclined to allow the application. Hence the order :

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest of the applicants in connection with F.I.R. bearing No.35/2023, registered with Paithan Police Station for the offence punishable under Sections 143, 147, 148, 149, 323, 324, 326, 504, 506 of the Indian Penal Code, the applicants be released on bail on their executing P.R. bond in the sum of Rs.15,000/- (Rupees fifteen thousand) each with one surety in the like amount.
- (iii) The applicants shall not tamper with the prosecution evidence and shall appear before the investigating officer as and when required.

(R.G. AVACHAT, J.)

fmp/-