

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

926 ANTICIPATORY BAIL APPLICATION NO.330 OF 2023

1. Vishal s/o Mahadeo Maral,
2. Avinash @ Avi s/o Mahadeo Maral. ...Applicants

VERSUS

1. The State of Maharashtra,
2. The Superintendent of Police, Ahmednagar. ...Respondents.

...
Advocate for Applicants : Mr.Ingole Dhanraj S.
APP for Respondents-State : Mr.K.N.Lokhande
...

CORAM : R. G. AVACHAT, J.
DATE : 17.03.2023.

PER COURT :

1. After having heard the learned Advocate for the applicants and the learned APP for the respondent/State, the Court expressed dis-inclination to grant relief to the applicant 2. Avinash @ Avi s/o Mahadeo Maral. The learned Advocate for the applicants therefore, comes around to withdraw the application of applicant No. 2 Avinash. The application to the extent of applicant No. 2 Avinash @ Avi stands disposed of as withdrawn.

2. So far as the applicant 1.Vishal s/o Mahadeo Maral is concerned, he is alleged to have assaulted the informant with hockey stick. The injury certificate of the victim/informant is relied on by the learned APP, thereby, contending for rejection of the application. It is true, the informant/victim suffered not less than 5 injuries.

Those all 5 injuries suffered by him are abrasions, which are simple in nature. As such, the averments in the F.I.R. of causing grievous injuries to the victim Rushikesh are not attributable to the applicant. The Court is, therefore, inclined to grant protection to applicant No. 1 Vishal in terms of the following order :

ORDER

- (a) The application is partly allowed.
- (b) In the event of arrest of the applicant No. 1. Vishal s/o Mahadeo Maral, in connection with Crime No. 29 of 2023 registered with Mirajgaon Police Station, Tq. Karjat District Ahmednagar for the offences punishable under Sections 307, 143, 147, 148 and 506 of the Indian Penal Code, the applicant Vishal be released on his executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount on conditions that :-
 - (i) The applicant No.1 Vishal shall appear before the investigating officer, as and when required for the investigating purpose.
 - (ii) The applicant No.1 Vishal shall not tamper with the prosecution evidence in any manner.

(R. G. AVACHAT)
JUDGE