

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

ANTICIPATORY BAIL APPLICATION NO.356 OF 2023

Vishwas s/o. Nanasaheb Damare	..Applicant
Vs.	
The State of Maharashtra	..Respondent

Mr.R.R.Karpe, Advocate for applicant
Mr.A.S.Shinde, APP for respondent
Mr.M.B.Sandanshiv, Advocate assisting APP

**CORAM : R.G. AVACHAT, J.
DATE : MARCH 28, 2023**

ORDER :-

Heard.

2. The FIR has been lodged by one Sandeep Shete in relation to the incident that took place by 08.00 p.m. on 18.10.2022. It appears that the applicant and all his family members have been named in the FIR. The applicant is alleged to have assaulted the informant with stick. The injury certificate of the informant suggests that he suffered one grievous and four simple injuries. Admittedly, the grievous injury has been attributed to the co-accused. As such, the applicant is alleged to have caused simple injuries by assault with stick. As such, the applicant, individually, committed offence punishable under Section 323 or 324 of Indian Penal Code (I.P.C.). He

is constructively sought to be invoked in the offence under Section 326 of I.P.C. with the aid of Section 149 of I.P.C.

3. Learned counsel for the informant has placed on record copies of two FIRs, to indicate the applicant to have criminal antecedents. This Court, therefore, closely perused those FIRs, to find therein as well, the applicant and all his family members are accused. Those incidents appear to be have been fall-out of the boundary dispute with the neighboring land owners. In those crimes, the applicant has been on bail.

4. This Court, vide order dated 21.03.2023, has protected the applicant. Considering the applicant's role in the alleged offence and the fact that charge sheet has been filed, the order granting him interim protection, is made absolute. The application stands allowed and disposed of accordingly.

[R.G. AVACHAT, J.]

KBP