

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

ANTICIPATORY BAIL APPLICATION NO. 395 OF 2023

1. Sambhaji Panditrao Patil	
2. Ramchandra Pandit @ Panditrao Patil	..APPLICANTS
VERSUS	
State of Maharashtra	..RESPONDENT

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Mr. D.S. Bagul, Advocate for applicants
Mr. A.S. Shinde, A.P.P. for respondent - State

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CORAM : R.G. AVACHAT, J.
DATE : 10th APRIL, 2023

PER COURT :

1. This is an application under Section 438 of Code of Criminal Procedure. The applicants claim to have an apprehension of being arrested in connection with Crime No. 25 of 2023 registered with Nandurbar Taluka Police Station, Dist. Nandurbar for the offences punishable under Sections 392, 452, 323, 504 and 506 read with Section 34 of the Indian Penal Code ('I.P.C.').

2. Heard. Perused First Information Report ('F.I.R.') and related police papers.

3. The applicants are alleged to have assaulted the informant and robbed him of Rs.7,000/- cash, silver bracelet worth Rs.8,000/- and silver chain worth Rs.2,800/-. It has been alleged in the F.I.R. that the applicants assaulted the informant with an iron rod.

4. On enquiry with the learned A.P.P., he submits that injury certificate of the informant is not available. It is informed that wife of the informant was in the fray for the election of the village panchayat on behalf of the rival group of the present applicants and the informant has, therefore, a reason to falsely implicate the applicants.

5. Since the injury certificate of the informant is not forthcoming, the veracity of the allegations in the F.I.R. is seriously in doubt. The Court is, therefore, inclined to confirm the order granting interim protection to the applicants.

6. In view of above, order dated 24th March, 2023, granting the applicants interim anticipatory bail, is hereby made absolute. The applicants shall appear before the investigating officer, as and when required for the investigating purpose. The applicants shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)