

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

ANTICIPATORY BAIL APPLICATION NO.398 OF 2023

**NAGDAS MAROTI KADAM
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr.U.B.Bilolikar, Advocate for applicant
Mr.K.N.Lokhande, APP for respondents

**CORAM : R.G. AVACHAT, J.
DATE : APRIL 13, 2023**

ORDER :-

Learned APP points out the injury certificate and informs that the applicant has criminal history. According to him, the offence is serious one and, therefore, the application needs to be rejected.

2. Perusal of the FIR indicates that the applicant has pressed neck of the informant and assaulted him with fists and kicks, which is an offence under Section 323 of Indian Penal Code. So far as the allegations of pressing of neck of the informant is concerned, those allegations might have been introduced with a view to make the crime more serious. The injury certificate does not reinforce the case of attempt to strangle the informant.

3. In view of the above, the order dated 23.03.2023, granting interim relief is made absolute. The application is allowed and disposed of.

[R.G. AVACHAT, J.]

KBP