

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

36 ANTICIPATORY BAIL APPLICATION NO.457 OF 2023

Gokul Manik Nakhate

...Applicant

Versus

The State of Maharashtra

...Respondent

...

Advocate for Applicant : Mr.Thombre Bhagwan V.

APP for Respondent-State : Mr.K.N.Lokhande

...

CORAM : R. G. AVACHAT, J.

DATE : 17.04.2023.

PER COURT :

1. Heard.

2. The First Information Report (for short "FIR") has been lodged on 07.03.2023 in relation to the incident that took place on previous evening. All the co-accused have been granted anticipatory bail by the learned Additional Sessions Judge, Majalgaon, District Beed, except the present applicant. The allegations against the present applicant are that he snatched and took away a gold chain of 15 gms. from the person of the informant, besides a sum of Rs. 3,000/- in cash.

3. The disability certificate of the applicant produced on record indicates that he is disabled by his one lower and one

upper limb. According to the learned Advocate for the applicant it is just difficult for the present applicant to commit crime and only with a view to give a counter blast to the FIR lodged by the applicant, those allegations have been incorporated.

4. The learned APP has strong reservations to allow the application.

5. The injury certificate indicates the informant to have suffered injury simple in nature. The allegations of the informant to have been robbed of gold chain, appears to have been an after thought. The record indicates the applicant to have already lodged crime against the informant and others on 06.03.2023 i.e. one day before the present crime was registered. The learned Advocate for the applicant therefore, has every reason to contend that as a counter blast to his FIR, the present crime has been registered.

6. In the aforesaid back drop, the order granting interim protection dated 31.03.2023, it is hereby made absolute on same terms and conditions.

(R. G. AVACHAT)
JUDGE

mahajansb/