

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 633 OF 2023

1. Sachin s/o Bhausahab Vairagar
2. Pintu @ Raju Sudhakar Salve
3. Akashs s/o Raosaheb Vairagar
4. Raosaheb s/o Macchindra Vairagar
5. Raosaheb s/o Bhanudas Khade
6. Mangesh s/o Pintu Salve

Applicants

Versus

The State of Maharashtra
& another

Respondents

Ms. A. N. Pedgaonkar, Advocate for the applicants.
Mr. S. N. Morampalle, APP for the respondents.

CORAM : R. M. JOSHI, J.
DATE : 9th JUNE, 2023.

PER COURT :

1. Applicants are apprehending arrest in connection with Crime No. 117/2023 registered with Sonai Police Station, Tq. Newasa, Dist. Ahmednagar, for the offences punishable under Sections 143, 147, 148, 149, 452, 354B, 324, 323, 504, 506 of the Indian Penal Code.

2. It is alleged by the informant that at around 1.00 pm on 12th March, 2023, applicants came into her house and questioned her as to why her son Kiran was talking to their daughter-in-law on the road. It is alleged that they abused and assaulted the informant.

3. Learned counsel for the applicants states that present First Information Report is lodged by way of counter blast to the report given by the victim whose modesty was outraged by Kiran and accordingly, report was given to the police at 4.40 pm. It is stated that the present report is lodged at 8.46 pm which indicates that in order to save the son, informant has lodged report against the applicants.

4. Learned APP opposed the applicant by submitting that *prima facie*, there is material evidence on record to show involvement of the present applicants in the crime and hence application be rejected.

5. *Prima facie*, this Court finds substance in the contention of learned counsel for applicants that there is possibility that the present First Information Report is lodged by way of counter blast

against the First Information Report lodged by victim whose modesty was outraged by the son of the informant herein.

6. Applicants were granted interim protection and pursuant to the directions of the Court, they appeared before the Investigating Officer and cooperated for investigation. There is nothing on record to show that said opportunity was misused by them. So far as the contention of learned APP about the seizure of weapon is concerned, the same can be taken care by directing the applicants again to appear before the Investigating Officer and cooperate in the investigation for the purpose of recovery, if any.

7. In view of above, application is allowed. Order granting interim protection is made absolute.

(R. M. JOSHI)
Judge

dyb