

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.667 OF 2023

Dattatraya Nandu Bedke

Applicant

Versus

The State of Maharashtra & another

Respondents

Mr. M. A. Dond, Advocate for the applicant.

Mr. G. O. Wattamwar, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 17th JULY, 2023.

PER COURT :

1. Applicant apprehends arrest in connection with Crime No. 339/2023, registered with Newasa Police Station, Tq. Newasa, Dist. Ahmednagar, for the offences punishable under Sections 143, 147, 148, 149, 327, 365, 504, 506 of the Indian Penal Code.

2. Learned counsel for applicant states that co-accused Sagar against whom same allegations are made is enlarged on anticipatory bail. It is further pointed out that recovery of muddemal has already been done and the applicant herein, pursuant to the

directions of this Court, has already deposited sum of Rs. 15,000/- with Judicial Magistrate First Class, Newasa. Thus, according to him, custodial interrogation of the applicant is not required and on parity, he is entitled for bail.

3. Learned APP opposed the application by contending that applicant is the person on whose instance crime in question has occurred. He further states that there is allegation of use of wooden stick for causing assault on the informant so also snatching of mobile phone worth Rs. 15,000/-. Thus, according to him, it is a fit case for custodial interrogation of the applicant.

4. There is no dispute about the fact that co-accused Sagar against whom exactly same allegations are made as made against the present applicant is already enlarged on bail. Applicant has deposited amount of Rs. 15,000/- with the concerned Court. Record further indicates that vehicle, mobile phone and the stick used in the incident are already seized. After deposit of Rs. 15,000/-, nothing remains to be recovered from the present applicant. Considering the nature of allegation against the present applicant and co-accused

Sagar, applicant is entitled for parity. Hence, application is allowed in terms of the interim order.

(R. M. JOSHI)
Judge

dyb