

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

ANTICIPATORY BAIL APPLICATION NO. 677 OF 2023

1. Kadarali Noorali
 2. Shakilddin Gayasuddin
 3. Raju Gayasuddin
 4. Imran Sk. Salim
- ... APPLICANTS

VERSUS

1. The State of Maharashtra
Through Police Station Amalner,
Dist. Jalgaon
 2. The Superintendent of Police,
Jalgaon.
- ... RESPONDENTS

WITH ANTICIPATORY BAIL APPLICATION NO. 489 OF 2023

Salim Shaikh Chiragoddin Shaikh

... APPLICANTS

VERSUS

1. The State of Maharashtra
Through Police Station Amalner,
Dist. Jalgaon
 2. The Superintendent of Police,
Jalgaon.
- ... RESPONDENTS

Mr. H. F. Pawar, Advocate for the applicants
Mr. S. P. Sonpawale, APP for the respondent/State

CORAM : R. M. JOSHI, J.
DATE : 14th JULY, 2023

P.C. :-

1. When this Court shown its disinclination to grant relief to

applicant Nos. 1, 3 and 4 in ABA No. 677/2023, learned counsel for the applicants, on instructions, seeks leave to withdraw the application against these applicants.

2. Anticipatory Bail Application No. 677 of 20202 is dismissed as withdrawn against these applicants.

3. Applicant No.2 in ABA No. 677 of 2023 and applicant in ABA No. 489 of 2023 apprehend arrest in connection with Crime No. 66/2023 registered with Amalner Police Station, Dist. Jalgaon for the offences punishable under Sections 452, 143, 147, 148, 149, 324, 504 of IPC.

4. Learned counsel for the applicants submits that there is no overt act alleged against these applicants of causing any assault on the informant or any other witness. Thus, according to him for want of their involvement in the crime they are entitled for anticipatory bail.

5. Learned APP opposed the said application by submitting that the presence of this applicants can be seen with arms from first information report and hence applications be rejected.

6. Perusal of the report clearly shows that it is co-accused who

had caused the assault on the informant. There is no allegation against present applicants of committing any overt act in this crime. In such circumstances *prima facie* offence is not made out against them. Hence the liberty of applicant No.2 in ABA No. 677 of 2023 and applicant in ABA No. 489 of 2023 is protected in terms of interim order dated 11th April, 2023.

(R. M. JOSHI, J.)

ssp