

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 730 OF 2023

- 1] Sharad Laxman Khupse
- 2] Ratan s/o Ankush Kamble
- 3] Atul s/o Mahadeo Mare
- 4] Sudhakar s/o Bhanudas Dhurandhare
- 5] Lakhan s/o Gangadhar Londhe ... Applicants

Versus

The State of Maharashtra ... Respondent

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Mr. Angad L. Kanade – Advocate for applicants
Mrs. Geeta L. Deshpande – APP for respondent/State

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CORAM : R. M. JOSHI, J.
DATE : 27th JUNE, 2023

PER COURT :

1. At the outset, learned counsel for the applicants submits, on instructions, that he is not pressing the application *qua* applicant no. 1 – Sharad.

2. The application stands dismissed as withdrawn to the extent of applicant no. 1 – Sharad Laxman Khupse.

3. Applicants no. 2 to 5 are apprehending arrest in connection with Crime No. 201 of 2023 registered with Shivaji Nagar Police Station, Beed, Dist. Beed, for the offence punishable under Section 143, 147, 149, 323, 326, 324, 504, 506 of the Indian Penal Code.

4. It is the contention of the informant that he is the owner of Yashraj Bar and Restaurant. On 21.04.2023, at around 09:00 p.m. four to five persons came to his hotel and they were consuming liquor. After 11:30 p.m. they insisted for serving more liquor to them. As it was refused by the waiter, they started threatening him. Out of these persons, one assaulted informant by slapping him. Thereafter, they went out of the hotel and started pelting stones on the hotel. It is further alleged that out of these persons one caused injuries to the nose of the informant with wrist metal ring.

5. On the basis of the statement made by the learned counsel for the applicants on instructions, it can be seen that the injuries caused to the informant was not at the instance of the applicant nos. 2 to 5, but applicant no. 1. The allegations against the other applicants are of pelting stones on the hotel and causing assault

with fist blows. In such circumstances, nothing is to be recovered at their instance. Hence, the application stands **allowed** to the extent of applicant nos. 2 to 5. Hence, the following order.

ORDER

- (i) In the event of arrest of applicants, namely, Ratan s/o Ankush Kamble, Atul s/o Mahadeo Mare, Sudhakar s/o Bhanudas Dhurandhare and Lakhan s/o Gangadhar Londhe in connection with Crime No. 201/2023 registered with Shivaji Nagar Police Station, Beed, Dist.Beed, for the offence punishable under Section 143, 147, 149, 323, 326, 324, 504, 506 of the Indian Penal Code, they be released on bail on their furnishing PR Bond of Rs.15,000/- (Rs. Fifteen Thousand only) each, with one solvent surety in the like amount each.
- (ii) They shall attend the concerned police station once in a week till filing of the charge-sheet.
- (iii) They shall not contact the witnesses directly or indirectly.
- (iv) They shall not interfere with the evidence in any manner whatsoever.
- (v) They are further directed to cooperate with the investigating agency for further investigation.

[R. M. JOSHI]
JUDGE