

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

ANTICIPATORY BAIL APPLICATION NO.762 OF 2023

**TANAJI DADARAO KOLTE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr. N. S. Kadam, Advocate for the applicant
Mr. S. N. Morampalle, APP for the respondent/State

**CORAM : R. M. JOSHI, J.
DATE : 10th JULY, 2023**

P.C. :-

1. Heard.
2. Applicant apprehend arrest in connection with Crime No. 73/2023 registered with Bhoom Police Station, Tal. Bhoom, Dist. Osmanabad for the offences punishable under Sections 307, 323, 427, 506 of IPC and Sections 92(a), 92(b) of the Rights of Persons with Disabilities Act, 2016.
3. The informant is an Advocate practicing at Bhoom. It is the contention of the informant that applicant is his client to whom he is representing in the Court in the Sessions Case No. 02/2014. There is further stated that when he instructed the applicant to come in time for attending the Court case, applicant pressed his neck and lifted iron table

and smashed at him. On the basis of these allegations offence came to be registered against the applicant.

4. Learned counsel for the applicant states that the roznama uploaded in Atro. Spl. Case No. 02/2014 shows that the accused i.e. applicant herein was present before Court whereas the Advocate was absent. Thus, according to him a false case is lodged by the Advocate against the his client.

5. Learned APP opposed the application.

6. Perusal of the first information report though shows that the informant has alleged against the present applicant. The roznama of concerned proceeding indicates that the applicant was present and his advocate i.e. informant was absent. Thus, there is reasons to believe that this could be a false case. Nothing is to be recovered at the instance of applicant. Hence his custodial interrogation is not necessary. Application is allowed in terms of interim relief order dated 12th May, 2023.

(R. M. JOSHI, J.)

ssp