

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

952 ANTICIPATORY BAIL APPLICATION NO.810 OF 2023

1. Babasaheb Arjun Gore
2. Babasaheb Gangadhar Belhekar .. Applicants

Versus

The State of Maharashtra .. Respondent

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Advocate for Applicants : Mr. Rohit Prashant Patwardhan
 APP for Respondent – State : Mr. S.N. Morampalle

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CORAM : R. M. JOSHI, J.

DATE : 4th JULY, 2023

PER COURT :

1. It is informed to the Court that the charge-sheet has been filed during the pendency of the application.

2. When this Court expressed its disinclination to grant relief to applicant no.1 - Babasaheb, the learned counsel for the applicants on instructions seeks withdrawal of the application to the extent of applicant no.1.

3. The application is dismissed as withdrawn qua applicant no.1.

4. As far as applicant no.2 is concerned, perusal of the First Information Report shows that the allegations against him is only in respect of pushing the informant. It needs to be considered that the record indicates that there are several disputes between the parties including filing of criminal as well as civil cases against each other. In such circumstances, possibility of over implication cannot be ruled out. Applicant no.2 has no criminal history. There is no overt act committed by him in actual assault. Nothing has to be recovered at his instance. Hence, the application is allowed to the extent of applicant no.2 in terms of the interim order passed by this Court on 19.05.2023.

[R. M. JOSHI]
JUDGE

GGP