

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

**ANTICIPATORY BAIL APPLICATION NO.860 OF 2023
WITH ABA/866/2023 WITH ABA/957/2023**

**BABU BHAGWAN SASTE
VERSUS
THE STATE OF MAHARASHTRA**

Mr. K. A. Ingle, Advocate for the applicant in ABA No. 860/2023 and 957/2023

Mr. M. D. Narwadkar, Advocate for the applicant in ABA No. 866/2023
Mr. S. N. Morampalle, APP for the respondent/State

CORAM : R. M. JOSHI, J.

DATE : 28th JUNE, 2023

P.C. :-

1. After hearing of learned counsel for both sides, when this Court has shown its disinclination to grant relief to the applicant in ABA No. 957/23, learned counsel for the applicant, on instructions, seeks leave to withdraw the application.

2. Hence Anticipatory Bail Application No. 957 of 2023 is dismissed as withdrawn.

2. In ABA Nos. 860/2023 and 866/2023 applicants apprehend arrest in connection with CR No. 113/2023 registered with Paradh Police Station, Tq. Bhokardan, Dist. Jalna for the offences punishable under

Sections 307, 452, 143, 144, 147, 148, 149, 324, 323, 504 and 506 of IPC.

2. Perusal of the first information report shows that an incident occurred on 10/05/2023 wherein the informant's side was prevented to play DJ by accused. It is alleged that on next day accused came and caused assault on informant and others. There are specific allegations as to which accused caused assault on whom with which weapon and on which part of the body. There is allegation against the present applicant that they caused assault on Shankar Saste with pipe and stick.

3. Learned counsel for the applicant states that considering the previous dispute the false implication of the applicants cannot be ruled out.

4. Perusal of the investigation papers show that no injury is sustained by Shankar Saste as no certificate is filed on record.

5. Learned APP after going through investigation papers states that there is no statement of any witness to the effect that these applicants caused assault on any other person. In view of this liberty of the applicants is protected. Hence the order.

ORDER

- (i) ABA No. 957/2023 is disposed of as withdrawn.
- (ii) ABA No. 860/2023 and 866/2023 are allowed.
- (iii) In the event of arrest of applicants in ABA No. 860/2023 and 866/2023 in connection with Crime No. 113/2023, registered with Paradh Police Station, Tq. Bhokardan, Dist. Jalna for the offences punishable under Sections 307, 452, 143, 144, 147, 148, 149, 324, 323, 504 and 506 of IPC, they shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) each with one solvent surety in the like amount.
- (iv) They shall attend the concerned police station once in a week.
- (v) They shall not contact the witnesses directly or indirectly.
- (vi) They shall not interfere with the evidence in any manner whatsoever.
- (vii) They are further directed to cooperate the investigating agency for further investigation.

(R. M. JOSHI, J.)

ssp