

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.881 OF 2023
WITH APPLN/2298/2023 IN ABA/881/2023

SHIVAJI BALAJI CHAVAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Ravi Khandebharad h/f Mr.
M. V. Salunke

APP for Respondents: Mr. S. N. Morampalle
Advocate for informant to Assist APP: Mr. A. S. Gandhi

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CORAM : R.M. JOSHI, J

DATE : JULY 12, 2023

PER COURT :

1. Applicants apprehend arrest in connection with with C.R. No. 188 of 2023 registered with Badnapur Police Station, Dist. Jalna for the offences punishable under Sections 452, 327, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. It is reported by the informant that incident occurred on 19.05.2023 at about 09.30 pm. It is alleged that the present Applicants came to his residence and forcibly entered his house. They abused, manhandled and snatched Rs. 21,500/- from pocket of his pant.

3. Learned Counsel for the Applicants states that

there are dispute between the parties over political rivalry as the panel of informant lost Grampanchayat elections. It is contended that Applicants are falsely implicated which seen that there is delay of five hours in lodging report.

4. Learned APP and learned Counsel for the informant submitted that informant had been to the police station, however, for want of electricity supply the report could not be registered in time. Learned APP referred to the statement of witnesses wherein one of the witness stated about Applicant herein snatching the amount from the pocket of pant of the informant.

5. There is no dispute about the fact that the parties are at loggerhead owing to the political rivalry. Perusal of the investigation papers show that statement of one witness indicate that some amount being snatched from the pocket of informant by applicant, however, said witness is close relative of the informant. Statement of independent witness does not support the said contention. Thus, there is reason to believe that this could be a case of false or over implication.

6. In view of above, application is allowed by confirming order dated 07th June, 2023. Pending application is disposed of.

(R.M. JOSHI, J.)

Malani