

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

ANTICIPATORY BAIL APPLICATION NO.1103 OF 2023

**SANDEEP ASARAM SANAP
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Mr. Sohail Subhedar, Advocate h/f Mr. N. S. Ghanekar, Advocate for the applicant
Mr. S.P. Sonpawale, APP for the respondent/State

CORAM : R. M. JOSHI, J.

DATE : 20th JULY, 2023

P.C. :-

1. Applicant apprehends arrest in connection with Crime No. 211/2023 registered with Jintur Police station, Tal. Jintur, Dist. Parbhani for the offences punishable under Sections 326, 143, 147, 148, 149, 504 of IPC.

2. Learned counsel for the applicant states that there are disputes between parties as it reflects from the first information report. It is also submitted that considering the said dispute the possibility of false implication cannot be ruled out.

3. Learned APP opposed the application by contending that the injury certificate supports the case of the informant about the injury being caused to him with axe on his head.

4. Perusal of the first information report though indicates that an incident of assault occurred and the present applicant assaulted the informant however the injury certificate shows that simple injury was caused to the informant. The investigation papers further show that the axe is already seized at the instance of co-accused. Owing to the present dispute between the parties the over implication cannot be ruled out. There are no criminal antecedents against applicant. Hence the order.

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in connection with Crime No. 211/2023, registered with Jintur Police Station, Tal. Jintur, Dist. Parbhani for the offences punishable under Sections 326, 143, 147, 148, 149, 504 of IPC, he shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount.
- (iii) He shall attend the concerned police station once in a week.
- (iii) He shall not contact the prosecutrix/ witnesses directly or indirectly.
- (iv) He shall not interfere with the evidence in any manner whatsoever.
- (v) He is further directed to cooperate the investigating agency for further investigation.

(R. M. JOSHI, J.)

ssp