

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

ANTICIPATORY BAIL APPLICATION NO.1127 OF 2023

KARIM ASHOK TADWI

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. B. S. Doifode

APP for Respondents: Mr. S. P. Sonpawale

...

CORAM : R.M. JOSHI, J

DATE : JULY 28, 2023

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 80 of 2023 registered with Pimpalgaon Hareshwar Police Station, Dist. Jalgaon for the offences punishable under Sections 307, 143, 147, 148, 149, 323, 324, 337, 427, 188 of the Indian Penal Code and Sections 4/25 of Arms Act and Sections 37(1) and 135 of Maharashtra Police Act.

2. Perusal of the FIR indicates that an incident occurred on 15.04.2023 at around 08.00 am wherein two groups assaulted each other. The offence is registered against 59 accused persons. As far as present Applicant is concerned, it is stated in the FIR that he assaulted informant with stick.

3. Learned Counsel for the Applicant states that except this allegation, there is no other allegation against present Applicant. According to him, no injury seems to have been caused to the informant in the said assault.

4. Learned APP opposed the application by contending that considering specific statement made in the FIR showing overt-act Applicant is not entitled for pre-arrest bail.

5. Perusal of the FIR indicates that there are number of persons involved in the incident in question. Informant has specifically stated about causing of injuries to others. He further conspicuously silent that any injury being caused to him. In such circumstances, this Court finds substance in the contention of learned Counsel for the Applicant that no injury of whatsoever nature is caused to him.

6. Having regard to these facts, liberty of the Applicant is protected. Hence, the order:

O R D E R

- (i) In the event of arrest the Applicant in connection with with C.R. No. 80 of 2023

registered with Pimpalgaon Hareshwar Police Station, Dist. Jalgaon for the offences punishable under Sections 307, 143, 147, 148, 149, 323, 324, 337, 427, 188 of the Indian Penal Code and Sections 4/25 of Arms Act and Sections 37(1) and 135 of Maharashtra Police Act, 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.

- (ii) He shall attend the concerned police station once in a week till filing of the charge-sheet.
- (iii) He shall not contact the 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.)

Malani