

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

968 ANTICIPATORY BAIL APPLICATION NO.1332 OF 2023

ISMAIL KADAR SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Akash Eknathrao Madne
APP for Respondent – State : Mr. S.W. Munde
...

**CORAM : R. M. JOSHI, J.
DATE : SEPTEMBER 01, 2023**

PER COURT :

. Heard.

2. Applicant is apprehending arrest in connection with Crime No.206 of 2023 registered with AUSA Police Station, Dist. Latur for the offences punishable under Sections 323, 324, 327, 504 r/w. 34 of the Indian Penal Code.

3. It is reported by the informant that on 11.05.2023 at around 07:30 p.m. while he was going towards agricultural field of Trimbak present applicant and one Irfan stopped him, insulted and abused him by making certain statements which are specifically

recorded in the FIR. It is alleged that the applicant assaulted him on his head with stick and co-accused robbed him of Rs.5,000/-. Learned counsel for the applicant submits that there is no injury caused to the informant and allegations made in the FIR are false.

4. Learned APP opposed the application.

5. Perusal of the investigation papers particularly injury certificate indicates that no vital injury is caused to the informant.

6. Considering the allegations made in the FIR that applicant and co-accused abused and insulted informant over the very personal issue, the possibility of false implication cannot be ruled out.

7. Having regard to these facts, application deserves to be allowed. Hence, following order:

ORDER

- (i) Application is allowed in terms of interim order dated 11.08.2023.

[R. M. JOSHI]
JUDGE

GGP