



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

ANTICIPATORY BAIL APPLICATION NO. 1364 OF 2023

1. Gangadhar Daulat Dhangar
2. Deepak Daulat Dhangar
3. Mayur Depak Dhangar
4. Ramkrishna Chintaman Dhangar .. APPLICANTS

VERSUS

1. The State of Maharashtra and others ... RESPONDENTS

Mr. H. F. Pawar, Advocate for the applicants
Mr. S. B. Narwade, APP for the respondent/State

CORAM : R. M. JOSHI, J.

DATE : 13th DECEMBER, 2023

P.C. :-

1. Applicants apprehend arrest in connection with Crime No. 136/2023 registered with Chopda Rural Police Station, Dist. Jalgaon for the offences punishable under Sections 307, 324, 323, 143, 147, 148, 149, 504, 506, 427 of Indian Penal Code.

2. In respect of incident occurred on 8th July, 2023 the report came to be lodged on 14th July, 2023. It is alleged by the informant that he along with others came to Tandalwadi to meet his sister. According to him at that time applicants and the co-accused caused assault on the informant and others with axe and other weapons. He claims to have sustained

injuries therein.

3. Learned counsel for the applicants submits that there are disputes between the parties and owing to the said disputes the possibility of false implication is not ruled out. He drew attention of the Court to the report lodged by the wife of applicant No.1 on 13th July, 2023. According to him the present report is lodged by way of a counter blast to the said report.

4. Learned APP opposed the application by relying upon the statements of witnesses and injury certificates. According to him since the weapons are yet to be recovered, it is not a case for grant of anticipatory bail.

6. First information report itself clearly shows that there are disputes between the parties. It further shows that the informant and others were not residents of the village of applicants. They all came to the in front of house of applicants. Incident in question has occurred on 08th July, 2023 whereas the report has lodged on 14th July, 2023. Though, it is sought to be claimed in the report that they were admitted in hospital and discharged on 12th July, 2023, however considering the nature of injuries caused to them at this stage the said explanation does not become acceptable. Informant claims to have been assaulted by number of persons and sustained single injury each by, informant and others

which is simple in nature. Having regard to these facts, this Court finds substance in the contention of the learned counsel for the applicants that this could be a case of false/over implication. For the purpose of recovery of weapons, if any, the applicants shall be treated in the custody of police. Application is allowed in terms of interim order 18th August, 2023. The condition of attendance of police station stands modified. The applicants are directed to appear before Investigating Officer as and when call with written intimation.

(R. M. JOSHI, J.)

ssp