



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
ANTICIPATORY BAIL APPLICATION NO. 1556 OF 2023**

Ananta Sopanrao Surung

VERSUS

The State Of Maharashtra And Another

Mr. B. G. Londhe, Advocate for the applicant

Mr. S. B. Narwade, APP for the respondent/State

CORAM : R. M. JOSHI, J.

DATE : 13th DECEMBER, 2023

P.C. :-

1. Applicant apprehends arrest in connection with Crime No. 340/2023 registered with Partur Police Station, District Jalna for the offences punishable under Sections 326, 323, 504, 506 r/w 34 of IPC.
2. First informant Krushna lodged report on 12th August, 2023 about incident occurred on 10th August, 2023 at 10.30 a.m. According to him owing to the disputes between the parties, the informant and his father were abused and assaulted. There is allegation in the report that the father of the informant was pushed by the applicant and he fell down and he sustained injury. It is further allegation that the applicant caused assault on his hand with stick resulting into causing of grievous injury.
3. Learned counsel for the applicant submits that there is delay of two days in lodging of the report. According to him in respect of the incident occurred on that day N.C. report lodged by the father of the applicant. It

is his further submission that owing to the delay in lodging of the report false implication is not ruled out.

4. Learned APP opposed the application by relying upon the injury certificate of the informant which indicates causing of displaced fracture to ulna. According to him since grievous injury is caused with weapon, it is not the case for grant of anticipatory bail.

5. The record indicates that there are disputes between the parties. The father of the applicant had lodged immediate report about the incident occurred. Present report is lodged after two days. The first informant states that the father of the informant was pushed by the applicant and he failed down and sustained injury. There is nothing on record to indicate that father of the informant sustained any injury. This Court therefore finds substance in the contention of the learned counsel for the applicant that owing to the delay in lodging of the FIR the false implication is not ruled out. Investigation papers shows that the stick is already recovered. Hence, nothing is to be recovered at his instance. There is no criminal history against the applicant. Hence, the application is allowed in terms of interim order dated 14th September, 2023.

(R. M. JOSHI, J.)

ssp