



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1684 OF 2023

Dipak Asaram Mohite and Anr ...Applicants

Versus

The State of Maharashtra ...Respondent

AND

ANTICIPATORY BAIL APPLICATION NO. 1729 OF 2023

Suyog Balasaheb Kapse ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mrs. P. V. Langhe, Advocate for the Applicants.

Mr. N. B. Patil, APP, for the Respondent – State.

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CORAM : R.M. JOSHI, J

DATE : DECEMBER 05, 2023

COMMON ORDER :

1. Learned Counsel for the Applicants submits that in counter report bearing Crime No. 909/2023 registered with Newasa Police Station in respect of incident occurred on 06.06.2023 this Court has granted anticipatory bail to the accused therein by observing that this appears to be a free fight between two groups. They further contend that in the present case informant and witnesses have sustained simple injuries.

According to them, considering the dispute between the parties, possibility of false implication cannot be ruled out.

2. Learned APP opposed the application by relying upon the statement of Dattatraya and injury certificate to contend that the role of the Applicants can be seen in the incident in question.

3. As observed in ABA/1640/203 this appears to be a free fight between two groups. It is also found that there are disputes between the parties and owing to the said disputes, the possibility of false/over implication is not rule out. Injury certificate shows that the injury caused to the informant and witnesses are simple in nature and such injuries are very much possible in a free fight.

4. Having regard to these facts, liberty of the Applicants deserve to be protected. Hence, applications are allowed by confirming interim orders dated 10th October, 2023 and 19th October, 2023 respectively.

(R. M. JOSHI, J.)