

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

ANTICIPATORY BAIL APPLICATION NO.1569 OF 2022

**SALIM MUSTAFA HASHMI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**
...
Mr. Anand V. Patil Indrale, Advocate for Applicants
Mr. A. V. Deshmukh, APP for Respondents – State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 02nd JANUARY, 2023

PER COURT :

1. Applicants apprehend arrest in Crime No.437/2022, registered with Udgir Police Station, Latur, against eight accused persons including applicants, for offences punishable under Sections 307, 323, 143, 147, 148 and 149 of the Indian Penal Code.
2. FIR is lodged by Sayyedi Mohsin Mustafa Hashmi, alleging that on 27/09/2022, at 07:30 a.m. all the accused persons assaulted informant and his relatives, with fist and kick blows and stones. Applicant No.1 Salim tried to kill him by pressing his neck.
3. Heard learned advocate for applicants and learned Additional Public Prosecutor for respondents. Perused the investigation papers.
4. Injury certificates of the relatives of informant show

contusion and abrasion on forearm and forehead, which are simple injuries. CCTV footage of the spot of incident is collected by Investigating Officer, which shows that accused persons did not come to the spot with arms.

5. FIR is also lodged by accused side which is registered at Crime No.438/2022, at the same police station, under Sections 307, 323, 143, 147, 148, 149 of the Indian Penal Code, against 14 persons from informant's side. Investigation papers reveal that persons from applicants' side have suffered grievous injuries in the alleged incident. In view of the above facts, applicants are entitled for protection.

6. Application is, therefore, allowed by confirming interim protection granted to the applicants vide order dated 24/11/2022. Till filing of charge-sheet, applicants shall attend concerned police station as and when called by Investigating Officer. Applicants shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)