

drp

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1603 OF 2022

Soni @ Pranjali d/o Balaji Sawate and Others APPLICANTS

VERSUS

The Superintendent of Police, Latur and Another RESPONDENTS

.....
Mr. R. D. Biradar, Advocate for the applicants
Mr. A. V. Deshmukh, APP for respondent - State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 10th JANUARY, 2023

ORDER :

1. After arguing at length on merits, when this Court was not inclined to grant relief to accused No.4 - Balaji Sopan Sawate, learned advocate for the applicants, on instructions, seeks permission to withdraw application of applicant No.4 Balaji. Permission granted. Application of applicant No.4 Balaji Sopan Sawate is dismissed as withdrawn.
2. The applicants apprehend their arrest in Crime No. 500 of 2022 registered with Ahmedpur Police Station District - Latur for offence punishable under sections 307, 452, 354, 324, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code.

3. FIR is lodged by Shivkanta Kendre, neighbour of the applicants alleging that applicant No.4 Balaji and his son Dhiraj came to their house and assaulted her with iron rod and sticks. His son Dhiraj outraged her modesty and applicant No.4 Balaji assaulted her mother in law with stick.

4. Heard learned advocate for the applicants and the learned Additional Public Prosecutor for the State. Perused the papers of investigation.

5. Applicant No.4 Balaji has also lodged FIR against the informant and her family members and relatives on 17th October, 2022, which is registered at Crime No. 492 of 2022 with Ahmedpur Police Station for offence punishable under sections 143, 147, 148, 149, 327, 323, 504, 506 of the Indian Penal Code and u/s 3 (1) (r), 3 (1) (s), 3 (2) (va) of the Scheduled Castes Schedule Tribe (Prevention of Atrocities) Act.

6. Injury certificate of the informant shows that she has suffered mild scalp hamotoma over right parito occipital region. This injury is attributed to applicant No.4 Balaji. There is no injury certificate of mother in law of the informant. Weapons used in the alleged crime are recovered from the spot.

7. Considering the general allegations levelled against

applicants No.1 to 3 and since nothing is to be recovered from them, application of applicants No.1 to 3 is allowed.

8. In the event of arrest of applicants No.1 to 3 in Crime No 500 of 2022 registered with Ahmedpur Police Station for offence punishable under sections 307, 452, 354, 324, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code, they be released on executing Personal Bonds of Rs.15,000/- each with one surety each in the like amount. Till filing of the charge sheet applicants No.1 to 3 shall attend the concerned police station as and when called by the Investigating Officer. The applicants shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE