

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1623 OF 2022

Baba Narsu Chormale

...Applicant

Versus

The State Of Maharashtra And Another

...Respondents

Mr. S.G. Kawade, Advocate for the applicant.

Mr. A.V. Deshmukh, APP for respondents.

Mr. K.R. Doke, Advocate for informant.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 5th JANUARY, 2023

ORDER :

1. The applicant apprehends arrest in Crime No. 242/2022, registered with Bhoom Police Station, Osmanabad, under sections 307, 143, 145, 147, 148, 149 of the Indian Penal Code.

2. First Information Report is lodged by Suvarna Kamble, a practicing advocate, alleging assault on her by 11 accused persons. The applicant's name is mentioned as son-in-law of accused Bibhishan Kamble.

3. Heard the learned advocate for the applicant, learned Additional Public Prosecutor for respondents and learned

advocate for the informant. Perused the investigation papers.

4. It is alleged in the FIR that, applicant assaulted mother of informant with stone. The persons who tried to intervene were also assaulted by accused persons including the present applicant.

5. On going through the injury certificates of injured persons, mother of informant has suffered one CLW on right parietal area, which is a simple injury. Injured Mahadev has suffered abrasion on ring finger of right hand and Baban has suffered contusion on left arm and below right scapula. Injuries of both the injured persons are simple in nature. It therefore, appears that there is no corresponding injury, which can be attributed to the present applicant.

6. The applicant claims to be in service of Tata Consultancy Services, at Thane. Nothing is to be recovered from the applicant. Pre-trial custodial detention of the applicant is therefore not warranted in the facts of the present case. In that view of the matter, the applicant is entitled for protection.

7. The application is allowed by confirming the interim order dated 1st December, 2022.

8. Till filing of charge sheet, the applicant to attend the concerned police station as and when called by the investigating officer. The applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]