

ANTICIPATORY BAIL APPLICATION NO.1678 OF 2022

Versus

Mr. G.D. Jain, Advocate for the applicants.
Mr. A.V. Deshmukh, APP for respondents.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 11th JANUARY, 2023

ORDER :

1. The applicants are apprehending arrest in Crime No. 314/2022 registered with Songir Police Station, Dhule, for offences punishable under sections 143, 147, 148, 324, 327, 341, 323, 504 of Indian Penal Code.

2. First Information Report is lodged by Rohit Patil alleging that 14 accused persons intercepted him and asked him as to why he lodged FIR against Deepak Patil. Then accused persons assaulted him. Applicant Santosh snatched gold chain of father of informant and applicant Yogesh gave blow of wooden log on his back. Accused Manoj Patil assaulted his father with

fighter on right eye. Applicant Yogesh also took away Rs. 1,00,000/- from the shirt pocket.

3. Heard the learned advocate for the applicants and learned Additional Public Prosecutor for respondents. Perused the investigation papers.

4. At the instance of accused Manoj Mahale, FIR is lodged against 11 accused persons including informant and his father, which is registered at Crime No. 315/2022 with Songir Police Station, Dhule, for the offences punishable under sections 143, 147, 148, 149, 323, 324, ,327 and 504 of IPC. Both the FIR appear to be lodged due to political rivalry as the elections of village panchayat were going on. Accused persons in the offence lodged at the instance of applicant's side are granted anticipatory bail by this Court.

5. Perusal of injury certificates of informant and his father show simple injuries. The weapons allegedly used in the crime are already recovered. There are no criminal antecedents against the applicants. No similar offence of snatching of gold ornaments and cash are registered against the applicants. Prima

facie it appears that, so as to increase the gravity of offence, said allegations are made against the applicants. Pre-trial custodial detention of the applicants, in the fact of the present case is not necessary. The application is therefore allowed by confirming interim order dated 12th December, 2022.

6. Till filing of charge sheet, the applicant shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation. The applicants shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]