

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

ANTICIPATORY BAIL APPLICATION NO.1784 OF 2022

**SURESH SUKHADEO JADHAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Mr. Abhaysinh K. Bhosle, Advocate for Applicants
Mr. A. A. Jagatkar, APP for Respondents – State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 06th FEBRUARY, 2023

PER COURT :

1. After arguing at length on merits, when this Court was not inclined to grant relief to applicant No.1, learned advocate for applicants, on instructions, seeks permission to withdraw the application of applicant No.1. Permission granted. Application of applicant No.1 Suresh Sukhadeo Jadhav is dismissed as withdrawn. Interim protection granted to applicant No.1 stands vacated.

2. Applicants apprehend arrest in Crime No.186/2022, registered with Daulatabad Police Station, Aurangabad, for offences punishable under Sections 143, 147, 148, 149, 326, 323, 504 of the Indian Penal Code.

3. FIR is lodged by Nadim Kalim Shaikh against 10 to 11 accused persons alleging that on Karodi Toll Naka, his uncle Naim Maheboob Patel and his father Maheboob Modu Patel were

assaulted by the applicants, who are employees of the Toll Naka. Accused Suresh Jadhav assaulted by iron rod on the informant's head and other accused persons assaulted them with fists and kick blows.

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

5. Accused Suresh Jadhav has lodged FIR at Crime No.185/2022, with the same police station under Sections 143, 147, 148, 149, 452, 324, 336, 427, 323, 504, 506 of the Indian Penal Code, against 14 to 15 accused persons including the informant and his relatives. It appears from record that Suresh Jadhav has suffered abrasion.

6. Perusal of the investigation papers show that injured persons have suffered simple injuries and the said injuries *prima facie* are attributable to the accused Suresh Jadhav.

7. Applicants were granted interim protection and they have cooperated in the investigation. Investigation appears to be on the verge of completion. Pre-trial custodial detention of applicants in the facts of the present case is not necessary.

8. In the result, application is allowed by confirming

interim order dated 23/12/2022. 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.)