

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1911 OF 2023

Chandrashekhar Daniel Patare and Anr ...Applicants

Versus

The State of Maharashtra & Anr ...Respondents

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Mr. N. B. Narwade, Advocate for the Applicants.

Mr. S. B. Jadhav, APP, for the Respondent – State.

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CORAM : R.M. JOSHI, J

DATE : DECEMBER 12, 2023

PER COURT :

1. Applicants apprehend arrest in connection with with C.R. No. 191 of 2023 registered with Shani Shingnapur Police Station, Dist. Ahmednagar for the offences punishable under Sections 143, 147, 148, 149, 452, 427, 327, 324, 323, 504, 506 of the Indian Penal Code.

2. First informant Ramesh Shine made allegation in respect of incident occurred on 10.10.2023 at around 11 am. He claimed that present Applicant and other 50-60 persons came to his house and threatened them to vacate agricultural land claiming the said property to

be their. It is alleged that in the said assault informant and others were assault and they also snatched cash and ornaments from the cupboard in the house.

3. Learned Counsel for the Applicants submit that before learned Additional Sessions Judge investigating officer filed report stating that at the time of occurrence of alleged incident Applicants were present at Ahmednagar, which is at the distance about 40-50 kms from the spot of incident. According to him, in view of the said report liberty of the Applicants deserves to be protected.

4. Learned APP opposed the application by occurrence of incident and injuries caused to the informant and witnesses coupled with their statements.

5. Even if the evidence collected during the investigation accepted to be true, since, there is also material on record to indicate that the Applicants were not present at the time of occurrence of incident, there is no reason to deny liberty of the Applicants.

6. In view of above, application stands allowed by confirming interim order dated 09th November, 2023.

(R. M. JOSHI, J.)

Malani