

Mr. Rupesh A. Zade alongwith Ms. Priyanka Gupta for the Applicant.
Mr. Amit Palkar, APP for the State.

P.C. :-

2. The applicant is apprehending his arrest in Crime No. 45 of 2022 registered at Malegaon Police Station, for the offences punishable under Sections 143, 147, 148, 149, 307, 326, 325, 324, 504 of Indian Penal Code and Sections 37(1), 37(3), 135 of the Maharashtra Police Act, 1951.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. There appears to be dispute between the parties in relation to some immovable property. According to the prosecution, on account of said dispute on 19 October 2022 the present applicant alongwith co-accused formed an unlawful assembly and assaulted the complainant and

his family members by knife, iron rod and sticks and attempted to kill them.

5. The learned Counsel for the applicants submits that due to dispute between the parties, the complainant had lodged the false report. It is submitted that the applicant is 25 years old and there no other criminal antecedents. It is submitted that the applicant may be thus released on anticipatory bail.

6. The learned APP for the State submits that there are in all four injured persons. It is submitted that at the time of alleged incident the present applicant and other co-accused were armed with knife and iron rod. It is submitted that considering the nature of offence, the applicant may not be released on anticipatory bail.

7. I have perused the injury certificates. There are in all four injured persons. The injury certificate of Hanumant Kale shows that he had sustained 3 incised wounds. The injury certificate of Dadaso Kale shows 2 incised wounds and as regards Mangal Kale, there are 2 CLW. According to the prosecution, the applicant was part of the unlawful assembly and at the time of assault he was armed with the weapon. Considering the nature of offence, I am not inclined to grant anticipatory bail to the present applicant. In the result, the following order is passed :

(i) Application is rejected.

(N.R. BORKAR, J.)