



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

ANTICIPATORY BAIL APPLICATION NO. 172 OF 2024

DEVIDAS VILAS RATHOD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Mr. A.M. Gaikwad, Advocate h/f Mr. Vaibhav B. Dhage, Advocate for
Applicant
Mr. N.B. Patil, APP for Respondents – State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 15th FEBRUARY, 2024

PER COURT :

1. Applicants apprehend arrest in C.R. No. 157/2023, registered with Sonkhed Police Station, Nanded, for offence punishable under Sections 326, 325, 324, 323, 504, 506 r/w 34 of the Indian Penal Code.

2. FIR is lodged by Govind Ramji Jadhav alleging that, there is dispute in respect of road passing from his and his brother Lakshman Jadhav's house. On 10/12/2023, Vilas Govind Rathod assaulted his brother Laxman Ramji Rathod with iron rod on left leg, due to which he fell down on the road. When informant went to intervene Devidas Vilas Rathod assaulted him with iron rod. His wife Yashodabai Vilas Rathod assaulted informant with stone on his forehead and brother Lakshman Jadhav on his back. Wife of informant and others by intervening the quarrel, separated accused and informant.

3. Heard learned APP for respondents – State and learned advocate for applicants. Perused the investigation papers.

4. After arguing at length on merits, when this Court was not inclined to grant relief to applicant Nos.1 and 3, learned advocate for applicants, on instructions, seeks permission to withdraw the application to the extent of applicant No.1 Devidas Vilas Rathod and applicant No.3 Vilas Govind Rathod. Permission granted. Application of applicant No.1 Devidas Vilas Rathod and applicant No.3 Vilas Govind Rathod is dismissed as withdrawn.

5. On perusal of injury certificates and investigation papers, custodial interrogation and/or detention of applicant No.2 Yashodabai is not necessary in the facts of present case. Considering her gender, she is entitled for protection.

6. In the result, application of applicant No.2 Yashodabai Vilas Rathod is allowed by confirming interim protection granted to her by order dated 02nd February, 2024.

7. Till filing of charge-sheet, applicant No.2 Yashodabai shall attend concerned police station as and when called by investigating officer and shall co-operate in the investigation.

(NITIN B. SURYAWANSHI, J.)