



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 181 OF 2024

Ashok Balu Mohite

....Applicant

VERSUS

The State Of Maharashtra

.....Respondent

.....
Mr. M.K. Bhosale h/f. Mr. G.B. Pimple, Advocate for applicant.
Mr. A.R. Kale, APP for respondent.

.....
[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 13th FEBRUARY, 2024

ORDER :

1. Applicant apprehends arrest in C.R. No. 566 of 2023, registered with Bhusaval Police Station, Dist. Jalgaon, for offences punishable under sections 323, 324, 395, 504, 506 of the Indian Penal Code.

2. FIR is lodged by Milavkumar Punam stating that on 11.12.2023 at about 9.30 am accused Ashok Mohite along with co-accused induced him and his friend that he would give them white Bhilava and called them at Muktainagar. When they reached there Ashok Mohite along with co-accused have beaten informant and his friend and robbed their belongings i.e. cash of Rs. 2,000/-, one mobile and ring. They were abused and threats of life were given to them.

Bhagyawant Punde

3. Heard learned advocate for applicant and learned APP for respondent. Perused the investigation papers.

4. Learned advocate for applicant submits that co-accused Vinod Sonwane and Narendra Sapkale are arrested and two mobile phones, stick, one scooter, iron ring, online transferred amount of Rs. 20,000/- and motorcycle allegedly used in the crime are recovered. Therefore, custody of applicant is not necessary and he may be granted protection.

5. Learned APP by relying on investigation papers strenuously opposed the application. He submits that applicant is the main accused who has conspired along with other accused persons and committed the present crime.

6. Perusal of investigation papers show active involvement of applicant in the present crime. He has induced informant on the pretext of giving him white Bhilava and called informant and his friend at the spot of incident for delivery of white Bhilava. When informant and his friend came there at the instance of applicant, applicant along with co-accused assaulted informant and his friend and robbed their belongings. CCTV footage collected by investigating officer shows that applicant is

actively involved in the present crime. Informant and his friend are from Telangana State and applicant induced them to come here. Other accused persons in the crime are yet to be arrested. It is therefore clear that applicant is the main culprit who has committed the present crime along with other co-accused. Considering the gravity of offence and complicity of applicant, he does not deserve discretionary relief of anticipatory bail. The application is therefore rejected.

[NITIN B. SURYAWANSHI, J.]