



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 214 OF 2024

Salim @ Sanju Gulam Husain PatelApplicant

VERSUS

The State Of Maharashtra And AnotherRespondents

.....
Mr. C.C. Deshpande, Advocate for Applicant.

Mr. A.R. Kale, APP for Respondents.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 29th FEBRUARY, 2024

ORDER :

1. Applicant apprehends arrest in C.R. No. 345 of 2023, registered with Nardana Police Station, Dist. Dhule, for offences punishable under sections 302, 143, 147, 148, 149, 323, 324, 326, 427, 504, 506 of the Indian Penal Code.

2. FIR is lodged by Banobi Patel alleging that on 29.12.2023, informant along with her husband and son Firoz were present in the house. At that time, Firoz told informant that when he was selling carrots, accused Faruk Salim Patel abused him in filthy language in the name of his mother. All the accused persons gathered in the courtyard of informant and started assaulting Firoz by means of hands, fist blows, sticks and stones. When informant and Nihal Sattar Patel tried to separate the

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quarrel, accused Faruk Nimba Patel assaulted Miyalal Patel by means of stick. So, he fell down and Faruk Nimba Patel lifted a stone by the side of Miyalal and thrashed the same on the head of Miyalal. It is further alleged that accused Ismile Patel, Danish Shakil Patel and Aasif Nimba Patel assaulted Miyalal on his head with sticks. Nihal Patel was assaulted on his head by stick by Wasim Patel. It is further alleged that all the accused persons assaulted Arman Patel, Zuber Patel and Firoz Patel by sticks. When daughter-in-law of informant went to separate the quarrel, gold *mangalsutra* was misplaced at the spot of incident.

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

4. Learned advocate for applicant submits that there are vague and general allegations against applicant and no specific role is attributed to him. He therefore submits that applicant may be granted anticipatory bail.

5. There is no merit in the contention of applicant that general allegations are levelled against applicant and no specific role is attributed to him. Applicant is a member of unlawful assembly and he is liable for all the acts done by each member

of said assembly. Miyalal Patel has succumbed to the head injury received by him in the incident. Ismile Patel has suffered grievous injuries, so also Arman Patel and Firoz are injured in the incident.

6. Considering the gravity of accusations and complicity of applicant, applicant does not deserve discretionary relief of anticipatory bail. Custodial interrogation of applicant is necessary for recovery and effective investigation. Hence, application is rejected.

7. At this stage, learned advocate for applicant prays for continuation of interim protection for a period of two weeks. For the reasons stated in the order, said prayer is rejected.

[NITIN B. SURYAWANSHI, J.]