



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 317 OF 2024

Chandrakala Kaduba Pawar And Others Applicants

VERSUS

The State Of Maharashtra And Another Respondents

.....
Mr. V.B. Jagtap, Advocate for applicants
Mr. C.V. Bhadane, APP for State

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 30th APRIL, 2024

ORDER :

1. Applicants apprehend arrest in C.R. No. 18/2024, registered with Wadod Bazar Police Station, Dist. Chhatrapati Sambhajinagar for offences punishable under sections 307, 353, 332, 336, 323, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code.

2. FIR is lodged by Vijay Jadhav, PSI, Local Crime Branch Chhatrapati Sambhajinagar alleging that on 18.01.2024 he along with other police staff went to the house of Rahul Kaduba Pawar for implementation of detention order issued by District Magistrate, Chhatrapati Sambhajinagar. The police informed Rahul about detention order. When police tried to

Bhagyawant Punde

apprehend Rahul, co-accused Rohit Kaduba Pawar and applicants abused them. When police entered into the house to apprehend Rahul, Rohit rushed on the person of the police and obstructed them from apprehending Rahul. Rohit told police not to take away his brother and threatened to kill them. Thereafter, he picked up a stone and threatened to kill them. He also scuffled with PHC Bhalerao. While he was hitting the stone on the head of PHC Bhalerao, informant pulled him and missed the attack. Thereafter, Rahul hit himself on his head by means of stone. Thereafter, applicants rushed on the person of police and obstructed them from taking away Rahul. They also manhandled LPC Chavan.

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

4. Considering the allegations made in the FIR and material collected during the investigation, pre-trial custodial detention of applicants is not necessary as nothing is to be recovered from them. Accused No. 1 is already detained in custody and the allegations against applicants is that they obstructed public officers from discharging their duty and they tried to prevent police officers from arresting accused No. 1. In

these peculiar facts, no useful purpose would be served by remanding applicants in custody. Considering gender of applicants, they deserve protection.

5. In the result, application is allowed by confirming interim protection granted to applicants by order dated 1st March, 2024.

[NITIN B. SURYAWANSHI, J.]