



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 343 OF 2024

Sharad Khandu Pawar

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondents

.....

Mr. Amol Sawant h/f. Mr. N.B. Narwade, Advocate for Applicant

Mr. A.A. Khan, APP for State

Mr. A.G. Ambetkar, Advocate for informant

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 25th APRIL, 2024

ORDER :

1. Applicant apprehends arrest in C.R. No. 42/2024, registered with Ahmednagar Taluka Police Station, Dist. Ahmednagar, for offences punishable under sections 307, 325, 323, 504, 506 of the Indian Penal Code.

2. FIR is is lodged by informant alleging that on 23.01.2024 at about 12.30 pm, he was proceeding to Ahmendnagar on his motorcycle. One unknown vehicle gave forceful dash to his motorcycle, due to which he fell down. When he got up, he saw that the vehicle which gave dash stopped at some distance and applicant got down from driver side and from

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other side Suraj Bhoj got down. Applicant said to informant that he is filing complaint against applicant and how he could survive in spite of dash given to his vehicle, he will be killed and applicant abused him. Suraj Bhoj abused and caught hold of hands of informant and applicant assaulted on left eye and back. Applicant also banged his head on the bonnet of vehicle.

3. Heard learned advocate for applicant, learned APP for State assisted by learned advocate for informant. Perused the investigation papers.

4. Learned advocate for applicant submits that since applicant is Sarpanch is he falsely implicated in the present crime.

5. Learned APP and learned advocate for informant strenuously opposed the application contending that there is CCTV footage in which incident is recorded and it supports the version of informant in the FIR. Learned advocate for informant further submits that several complaints are lodged against applicant by informant and other villagers and he is creating terror in the village. Therefore, he is not entitled for anticipatory bail.

6. Perusal of record indicates that incident is recorded in the CCTV footage. Eye witness has disclosed that after the dash, quarrel was going on between applicant and informant. Informant had picked up a stone during the quarrel. He however does not support the allegations that applicant assaulted the informant.

7. The vehicle allegedly used in the crime is already seized. Co-accused Suraj Bhoj was arrested and he is released on bail. Nothing is to be recovered from applicant, therefore, no useful purpose would be served by remanding applicant to the custody.

8. In the result, application is allowed by confirming interim protection granted to applicant by order dated 6th March, 2024.

9. Till filing of charge sheet, applicant shall not enter village Chinchondi Patil, Taluka & Dist. Ahmednagar, except for attending meetings of Village Panchayat. Applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]

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