



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

936 ANTICIPATORY BAIL APPLICATION NO. 365 OF 2024

Radheshyam Shivdas Devkatte
VERSUS
The State of Maharashtra and another

...
Advocate for Applicant : Mr. Rahul G. Joshi
APP for Respondents: Mr. C.V. Bhadane
.....

CORAM : SHIVKUMAR DIGE, J.
DATED : 24th JULY, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No.28 of 2024 registered with Kingaon Police Station, district Latur, for the offences punishable under Sections 326, 327, 323, 504, 143, 147, 148, 149 of the Indian Penal Code.

2. It is the prosecution's case that the applicant and co-accused Dilip had taken the amount from the informant for giving him job. When the informant asked return of the amount, at that time, on 2.12.2023 they called the informant at Ujna. When the informant went there, it is alleged that accused Dilip and applicant assaulted him. It is alleged that the applicant and co-accused Dilip assaulted the informant with fist and kick blows.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The allegations against the applicant are that he assaulted the informant with fist and kick blows. The main allegations are against co-accused Dilip. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP that the applicant was part of group which assaulted the informant. The applicant had taken the amount from the informant for giving him job. When the informant asked for return of the money, the applicant and co-accused Dilip assaulted the informant. The custodial interrogation of the applicant is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and the police papers produced on record. The only allegations against the applicant are that he assaulted the informant with fist and kick blows. Moreover, there is delay of 18 days in lodging the F.I.R. Considering the allegations against the applicant, his custodial interrogation is not required and I pass the following order :-

ORDER

(i) The application is allowed.

(ii) The interim anticipatory bail granted to the applicant vide order dated 07.03.2024 stands confirmed on the same terms and conditions with following modification:-

(a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)

rlj/