



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 402 OF 2024

Raosaheb Dagadu Shete

... Applicant

VERSUS

The State Of Maharashtra
And Others

... Respondents

.....

Mr. Sanjay D. Kotkar, Advocate for Applicant

Mr. C.V. Bhadane, APP for Respondent Nos.1 and 2 – State

Mr. Sohail Subhedar h/f Mr. N.S. Ghanekar, Advocate for
Respondent No.3

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 22nd APRIL, 2024

ORDER :

1. Applicant apprehends arrest in connection with Crime No.37 of 2024 registered with Sonai Police Station, District-Ahmednagar for offences punishable under sections 354, 354-A, 327, 323, 504, 506 read with section 34 of the Indian Penal Code.

2. FIR is lodged by informant alleging that there is dispute between informant's family and accused persons in respect of a road passing through the agricultural fields and on that count, accused persons have made complaint against husband and father-in-law of informant and in that regard, they are behind the bars now. On 29.01.2024, at about 4.00

p.m. when informant was irrigating her field by fetching water from the well, all the three accused persons came there and started lifting the motor/water pump from the said well. At that time informant was recording the video of the said act of the accused persons. On that count, applicant Raosaheb abused informant and slapped her and also pressed her chest. When she tried to resist, applicant has pulled her gold ornament from her neck. Thereafter, she was assaulted by slaps by the other accused persons. Her cousin father-in-law namely, Dnyandeo and others came to the spot on her shouting and rescued her.

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

4. It is pertinent to note that on 08.01.2024, applicant lodged FIR bearing crime No.0015/2024 against Balasaheb Dagadu Shete, Prakash Dagadu Shete, Bhausahab Dagadu Shete, Sachin Bhausahab Shete, Anita Balasaheb Shete and Ravindra Prakash Shete, alleging that accused persons attempted to commit his murder. He was tied to neem tree and was assaulted with fists and kick blows and wooden log. In the said crime, husband and father-in-law of informant were arrested and they are in jail.

5. *Prima facie*, it appears that there is dispute between applicant's family and informant's family. It appears that FIR in question is lodged to give counter blast to FIR lodged by applicant against Balasaheb Dagadu Shete, Prakash Dagadu Shete, Bhausahab Dagadu Shete, Sachin Bhausahab Shete, Anita Balasaheb Shete and Ravindra Prakash Shete, accused in Crime No.0015/2024 registered with Sonai Police for offences punishable under sections 307, 324, 327, 323, 504, 506, 143, 147, 148, 149, 342, 452 of the Indian Penal Code. It is *prima facie* unbelievable that, applicant would outrage informants modesty and would snatch away her gold ornament. Applicant is not habitual criminal and there are no criminal antecedents against him. Applicant, therefore, is entitled for protection.

6. Application is therefore allowed by confirming interim protection granted to applicant by order dated 13.03.2024.

7. Till filing of charge-sheet, applicant shall attend the concerned police station as and when called by the Investigating Officer and co-operate in the investigation. Applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE