



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 486 OF 2024

Gautam Walmik Jadhav

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondents

.....

Mr. S.R. Sapkal, Advocate for applicant

Mr. R.B. Dhaware, APP for State

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 19th APRIL, 2024

ORDER :

1. Applicant apprehends arrest in C.R. No. 15/2024, registered with Virgaon Police Station, District- Aurangabad Rural, for offences punishable under sections 307, 143, 147, 427, 504, 506 of Indian Penal Code.

2. FIR is lodged by Rameshwar Potole alleging that he is resident of Mahalgaon, Taluka- Vaijapur, District- Chhatrapati Sambhajinagar and is agriculturists and also does business of water purification. On 04.01.2024 at about 2.00 pm, he repaired his red colour Wagon-R car bearing No. MH-12-ET-4910 at Vighnharta garage and sat in the car. At that time, he heard noise of something dashed his car from behind. When he looked behind he saw Gautam Walmik Jadhav (applicant), Satish Gangadhar Alhat, Rahul More, Krushna Wadnere, Dnyaneshwar

Bhagyawant Punde

Pandit Jadhav, Annasaheb alias Bandu More and one unknown person got down from four motorcycles. They attacked the car of informant with stones, iron tommy and iron rod. He was sitting in the vehicle in a frightened condition. However, broken glasses of vehicle started hitting him, therefore, he alighted from the car. All the accused started abusing him. Applicant pelted stones on informant, which he avoided. One stone pelted by applicant hit on the right leg of informant. Satish Alhat tried to give blow of tommy on his head, which informant avoided. Due to shouts raised by informant Ghule fitter, Abasaheb Zinjurde, Kalyan Zinjurde, Sunil Bajare came there and saved informant from accused. Accused persons abused and threatened informant with life. They also threatened that he will be implicated in false atrocity cases.

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

4. Learned advocate for applicant submits that applicant is President of Vanchit Bahujan Aghadi party, and therefore he is falsely implicated in the present crime, due to political rivalry.

5. Investigation papers indicate that allegations in the FIR are supported by spot panchnama. It is mentioned in the spot panchnama that attack on the car of informant is seen from the broken glasses and stones were found in the vehicle. Informant has suffered blunt trauma over occipital region and abrasion over foot. Statements of eye witnesses confirm the allegations made in the FIR.

6. Though, charge sheet is filed in the present crime fact remains that following offences are registered against applicant.

- (i) C.R. No. 107/2020, under section 4/25 of Arms Act.
- (ii) C.R. No. 286/2023, under section 143, 147, 188 of Indian Penal Code.
- (iii) C.R. No. 194/2020, under section 65(e) Maharashtra Prohibition Act.
- (iv) C.R. No. 133/2021, under section 65(e) of Maharashtra Prohibition Act.
- (v) C.R. No. 14/2022, under section 65(e) of Maharashtra Prohibition Act.
- (vi) C.R. No. 88/2022, under section 65(e) of Maharashtra Prohibition Act.
- (vii) C.R. No. 255/2022, under section 65(e) of Maharashtra Prohibition Act.
- (viii) C.R. No. 13/2024, under section 452, 336, 294, 427, 504, 506 of Indian Penal Code.
- (ix) C.R. No. 15/2024, under section 307, 143, 147, 504, 506 of Indian Penal Code.

7. Investigating officer has reported that all the accused in the present crime have formed a gang and they are committing offences in the village and vicinity. On 04.01.2024 accused persons have committed three offences at village Mahalgaon and have created terror in the village. In spite of registration of 10 offences, applicant is repeatedly indulging in commission of offence, though preventive action is taken against him.

8. Considering aforestated facts and complicity of applicant in commission of offence, he is not entitled for discretionary relief of anticipatory bail. Hence, application is rejected.

[NITIN B. SURYAWANSHI, J.]