



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

952 ANTICIPATORY BAIL APPLICATION NO. 589 OF 2024

1. Shamkant Shivaji Patil
2. Manoj Chotu Koli
3. Amol Walmik Sawant
4. Tushar Chintaman Ghumare

..APPLICANTS

-VERSUS-

State of Maharashtra

..RESPONDENT

...
Mr.S.B. Deshpande, learned Senior Advocate i/b Mr. Chetan B. Chaudhari,
Advocate for Applicants
APP for Respondent/State: Mr.S.P. Sonpawale

...
CORAM : **SHIVKUMAR DIGE, J.**

DATE : 9th July, 2024.

P.C.:

1. The applicants apprehend arrest in connection with FIR No.170 of 2024 registered with Dhule City Police Station, Dist. Dhule, for the offences punishable under sections 395, 323, 504 and 506 of the Indian Penal Code (For short, "IPC").
2. It is prosecution's case that on 9th March, 2024, at about 9:00 a.m., informant and her husband were going on motorcycle, at that time, accused no.1 and applicants assaulted the informant and her husband with fist and kick blows. It is alleged that accused no.1 snatched the gold chain from the neck of the first informant.
3. It is the contention of the learned senior counsel for the applicants that the allegations against the applicants are that they have assaulted the first informant and her husband with fist and kick blows.

Except these allegations, no allegations are made against the applicants. Accused no.1 has been released on bail. Custodial interrogation of the applicants is not required, hence requested to allow the application.

4. It is the contention of the learned APP that the applicants and co-accused assaulted the informant and her husband. Accused no.1 snatched the gold chain from the neck of the first informant. Custodial interrogation of applicants is required, hence requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and police papers produced on record.

6. The allegations against the applicants are that they assaulted the first informant and her husband with fist and kick blows. Except these allegations, there are no allegations against the applicants. Considering these allegations, custodial interrogation of the applicants is not required and I pass the following order :-

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest of the applicants in connection with FIR No.170 of 2024 registered with Dhule City Police Station, Dist. Dhule, for the offences punishable under sections 395, 323, 504 and 506 of the Indian Penal Code, the applicants be released on executing personal bond in the sum of Rs.15,000/- each with one surety of the

like amount by each of them, on the following conditions :-

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

[SHIVKUMAR DIGE, J.]

sga