



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 604 OF 2024

Ishwar Dattu Shingade

... Applicant

VERSUS

The State Of Maharashtra

... Respondent

.....

Mr. Nitin S. Salunke, Advocate for Applicant

Mr. K.K. Naik, APP for Respondent – State

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 24th APRIL, 2024

ORDER :

1. Applicant apprehends arrest in Crime No. 1582 of 2023, registered with Tophkhana Police Station, Ahmednagar for offences punishable under sections 307, 324, 143, 147, 148, 149 of the Indian Penal Code.

2. FIR is lodged by Sahil Sikandar Shaikh alleging that on 03.11.2023, at about 08.45. p.m., when he, his cousin brother Shadab and sister Pakeeza along with one Rakhi Bansode, friend of his sister have gone to see CCTV footage at Meghnand Hotel, accused persons by forming an unlawful assembly came there and assaulted him and his brother mercilessly by means of wooden log etc. Accused persons

assaulted his cousin brother Shadab by means of wooden log on his head, face and lower and upper limbs and attempted to commit his murder.

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

4. Record indicates that accused no.1 Vishal Kate is the main accused, who has assaulted informant with wooden log. The said wooden log is recovered, so also the motorcycle allegedly used during commission of crime. In the FIR, it is alleged that 5-6 unknown persons have assaulted informant. Name of applicant is disclosed by accused Vishal Kate during investigation. Except that, *prima facie*, there does not appear any material to connect applicant in the present crime.

5. *Prima facie*, the contention of applicant that he is falsely implicated in the present crime appears to be believable. Applicant is businessman having deep roots in the society and he is not likely to abscond, if released on bail. As nothing is to be recovered from the applicant, his pre-trial custodial detention is not necessary in the facts of the present case.

6. Application is allowed. In the event of arrest of applicant Ishwar Dattu Shingade in connection with Crime No.1582 of 2023, registered with Tophkhana Police Station, Ahmednagar for offences punishable under sections 307, 324, 143, 147, 148, 149 of the Indian Penal Code, he be released on bail on executing Personal Bond and Surety Bond of Rs.15,000/- with one surety in the like amount.

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

[NITIN B. SURYAWANSHI]
JUDGE