



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 656 OF 2024

1. Rohit Shekhar Bajaj
2. Chetan Shekhar Bajaj
3. Arbaj Ammed Shaikh
3. Ram Jijaba Salve

VERSUS

The State Of Maharashtra And Another

- Mr. D. R. Kale, Advocate for the Applicants
- Mr. P. K. Lakhotiya, APP for the Respondent/State

CORAM : R.M. JOSHI, J

DATE : OCTOBER 04, 2024

PER COURT :

1. Applicants apprehend arrest in connection with with C.R. No. 171 of 2024 registered with Karjat Police Station, Dist. Ahmednagar for the offences punishable under Sections 326, 324, 337, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. Informant Akash reported the incident occurred on 14.03.2024 at about 01.30 pm. From the FIR it seems that the incident had occurred on the issue of the alleged sending of messages by the informant to the sister of accused Rohit. It is alleged in the FIR that the Applicants assaulted informant, his father and brother. In the said incident, Akshay, brother of informant, sustained grievous injury.

3. Learned Counsel for the Applicants has drawn attention of the Court to the FIR dated 170/2024 registered with the Karjat Police Station in respect of the same incident wherein it is specifically stated that the informants' side caused assault on the Applicants and others and some of them were required to be admitted in the hospital. By referring to the present FIR, it is submitted that there are no specific allegations against Applicants as to who has caused injury to Akshay. Thus, according to him, this could be a case of false/over implication.

4. Learned APP opposed the application by drawing attention of the Court to the statement of witnesses as well as injury certificate which shows that Akshay sustained fracture injury to his wrist. He has also drawn attention of the Court to the criminal history of Applicant Arbhaz and Ram. Thus, according to him, it is not a fit case for grant of anticipatory bail.

5. Perusal of both FIR i.e. in Crime Nos. 170 & 171/2024 indicates that definitely some incident had occurred on 14.03.2024. From the allegations in both

reports and from the fact that both sides sustained injuries, this could be a case of free fight occurred between two parties. There is no specific allegation against present Applicants as to who has caused fracture injury to Akshay.

6. Having regard to these facts and also in view of the fact that no weapon is to be recovered, it is a fit case for grant of anticipatory bail.

7. Though it is sought to be argued that two Applicants are having criminal antecedents, however, after grant of interim relief to them, they attended the concerned police station and cooperated in the investigation. There is nothing on record to indicate breach of conditions of interim order has been committed by the Applicants. Hence, application is allowed by confirming interim order dated 24.04.2024.

(R.M. JOSHI, J.)