



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

73 ANTICIPATORY BAIL APPLICATION NO. 710 OF 2024

Pradeep Duryodhan Gaikwad

..APPLICANT

-VERSUS-

State of Maharashtra

..RESPONDENT

...

Advocate for Applicant : Mr. V.P. Narwade

APP for Respondent/State: Ms.Uma S. Bhosale

...

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 15th July, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.51 of 2024 registered with M.I.D.C. Paithan Police Station, Tq. Paithan, Dist. Chhatrapati Sambhajnagar for the offences punishable under section 307 read with 34 of the Indian Penal Code (For short, "IPC").
2. It is prosecution's case that on 4th March, 2024, at around 8.00 p.m., when the informant and his friend Onkar were standing outside one hotel, Onkar told the informant that informant's neice Vaishnavi was harassed by co-accused Aditya. Informant asked Onkar to call Aditya and they will tell him not to harass. Onkar called co-accused Aditya and asked him to come to hotel where infromant was standing. After some time, co-accused Aditya came there with co-accused Tukaram and applicant. It is alleged that there was altercation between them and it resulted in the assault on informant. It is alleged that the

applicant assaulted informant and his friend with fist and kicks blows.

3. It is contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The allegations against the applicant are that he assaulted the informant and his friend with fist and kick blows. Considering the allegations against the applicant, his custodial interrogation is not required, hence requested to allow the application.

4. It is contention of the learned APP that the applicant and his friend assaulted the first informant and his friend with fist and blows and other co-accused assaulted the first informant and his friend with knife. It shows that the applicant and co-accused had intention to kill the informant and his friend. Custodial interrogation of the applicant 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 applicant are that he assaulted the informant and his friend with fist and kick blows. Considering the allegations against the applicant, his custodial interrogation is not required and I pass the following order :-

ORDER

(i) The application is allowed.

(ii) In the event of arrest of the applicant in connection with FIR No.51 of 2024 registered with M.I.D.C. Paithan Police Station, Tq.

Paithan, Dist. Chhatrapati Sambhajnagar for the offences punishable under section 307 read with 34 of the Indian Penal Code, the applicant be released on executing personal bond in the sum of Rs.15,000/- with one surety of the like amount, on the following conditions :-

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

[SHIVKUMAR DIGE, J.]

sga