



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

75. ANTICIPATORY BAIL APPLICATION NO. 737 OF 2024

SHESHRAO @ SHASHIKANT SHIVRAM BHORE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Doke Kishor R.
APP for Respondent/State : Mrs.P.V. Diggikar

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

DATE : 12th August, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.81 of 2024 registered with Police Station, Bhoom, Dist. Dharashiv, for the offences punishable under sections 307, 326, 324, 323, 504, 506, 143, 147, 148 and 149 of the Indian Penal Code (For short, "IPC").
2. It is prosecution's case that on 28th March, 2024, at around 8:00 a.m., when the informant was sitting in his house, at that time, co-accused Suresh Bhore and Nitin Bhore came to his house and asked him to come outside the house. When informant came outside the house, he found that Suresh Bhore was having axe in his hand and Nitin Bhore was having iron rod. Other co-accused were also having sticks and spade with iron pipe. It is alleged that they all assaulted the informant with intention to kill him. The allegations against the applicant are that they along with co-accused Anna Bhore, Ranjit Bhore, Balaji Bhore, Shesherao Bhore, Maruti Bhore, Jayram Bhore assaulted the informant with wooden stick and fist and kick 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 general in nature. He along with co-accused assaulted the informant with wooden stick and fist and kick blows. The main allegations are against Nitin and Suresh Bhore. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is contention of the learned APP that the applicant along with co-accused assaulted the informant with iron rod, wooden stick with an intention to kill him. The applicant was the part of group who assaulted the informant. In the said assault along with informant other two persons have been seriously injured. Considering the allegations against the applicant, his custodial interrogation is required and requested to reject the application.

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

6. The allegations against the applicant are that he along with co-accused assaulted the informant with wooden stick and fist and kick blows. Other co-accused except Nitin Bhore are released on regular bail. 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.81 of 2024 registered with Police Station, Bhoom, Dist. Dharashiv, for the offences punishable under sections 307, 326, 324, 323, 504, 506, 143, 147, 148 and 149 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