



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 812 OF 2024

KARTIK S/O. DILIP BHOSALE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

Mr. D. A. Madake, Advocate for the applicant
Mr. S. B. Pulkundwar, APP for the respondent/State

CORAM : R. M. JOSHI, J.

DATE : 12th JULY, 2024

PER COURT :-

1. Applicant apprehends arrest in connection with Crime No. 441/2024 registered withh Jalgaon City Police Station, District Jalgaon for the offences punishable under Sections 307, 324, 323, 504, 506, 147, 148, 149 r/w 34 of the IPC and under Section 3/25 and 4/25 of the Arms Act.

2. The first informant Sunil has reported incident occurred on 26/12/2023 wherein according to him present applicant and others have caused injuries to him after threatened him to kill. Allegations against the present applicant is that he tried to assault him with chopper.

3. Learned counsel for the applicant has drawn attention of this Court to non cognizable report filed by the informant himself in respect of the said incident on 27/12/2023 wherein no such use of weapon was

informed to the police. It is his submission that report is filed after two days and hence it is after thought to falsely implicate the applicant in this crime.

4. Learned APP opposed the application.

5. Incident in question has occurred on 26/12/2023. Immediately after the occurrence of the incident informant himself went to the police station and lodged non cognizable report wherein it is stated that he was abused in abbreviated condition by the accused person. There is nothing mentioned therein about use of any weapon or threatening to kill etc. Even perusal of the police papers show that the statement recorded of the informant under Section 164 of Cr.P.C. before the JMFC does not disclose the incident in the manner it is reported to the police in the first information report. Even otherwise the name of the present applicant is not mentioned before JMFC.

6. Having regard to these facts, it is fit case to allow application by confirming interim order. Hence, application is allowed in terms of interim order dated 15/05/2024.

(R. M. JOSHI, J.)

ssp