



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

947 ANTICIPATORY BAIL APPLICATION NO. 853 OF 2024

Raosaheb Nana Deore

..APPLICANT

-VERSUS-

1. The State of Maharashtra
2. The Superintendent of Police

..RESPONDENTS

Advocate for Applicant : Mr. N.N. Desale

APP for Respondent/State: Mr.C.V. Bhadane

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 2nd July, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.112 of 2024 registered with Nizampur Police Station, Tq. Sakri, Dist. Dhule, for the offence punishable under sections 307, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code (For short, "IPC").

2. It is the prosecution's case that informant is having agricultural land, wherein he is having cattle area. He keeps 3 to 4 cows. He used to go to said place on foot to milk the cow. On 12th April, 2024, at about 7.00 a.m., while he was going to said place, from his backside co-accused Sunil Deore, Pravin Deore, Ravindra Deore, Avinash Deore and applicant came on motorcycle. They asked the informant whether he was behaving like Goon (Dada). They due to previous enmity started quarrel with the informant. Co-accused Pravin and Ravindra gave blows of stick on the head, hands and legs of the

informant. Co-accused Sunil gave blow of knife near left ear and forehead of the informant. Due to said assault, he sustained grievous injuries. Co-accused Avinash and the applicant beat the informant with stick, hands and blows. Further they abused in filthy language and also issued threat of life. Witness Sandip Deore came to rescue informant, at that time, accused Sunil gave blow of knife on his left hand palm and right shoulder. At that time other accused beat with sticks, hands and blows. They abused and issued threats.

3. It is contention of learned counsel for the applicant that the allegations against the applicant are that he beat the informant with stick, hands and blows. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is contention of learned APP that the applicant was part of group, who assaulted the first informant. Offence under section 307 of the IPC is registered against the applicant and co-accused. Custodial interrogation of the applicant is required and 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. Allegations against the applicant are that he beat the first informant with kick blows and wooden stick. The allegations against co-accused are that he beaten up first informant with knife and wooden

stick on his head. Considering the allegations against the applicant, his custodial interrogation is not required, hence 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.112 of 2024 registered with Nizampur Police Station, Tq. Sakri, Dist. Dhule, for the offence punishable under sections 307, 143, 147, 148, 149, 323, 504 and 506 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