



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

947 ANTICIPATORY BAIL APPLICATION NO. 881 OF 2024

Satish Madhavrao Morale & othersApplicants

VERSUS

The State of Maharashtra & anotherRespondents

.....

Mr. S. V. Jadhavar, Advocate holding for Mr. S. S. Thombre, Advocate
for Applicants.

Mr. C. V. Badane, APP for the State.

WITH
ANTICIPATORY BAIL APPLICATION NO. 883 OF 2024

Santosh Shankar Hange & anotherApplicants

VERSUS

The State of Maharashtra & anotherRespondents

.....

Mr. S. V. Jadhavar, Advocate holding for Mr. S. S. Thombre, Advocate
for Applicants.

Mr. C. V. Badane, APP for the State.

WITH
ANTICIPATORY BAIL APPLICATION NO. 886 OF 2024

Shankar Bhanudas Jadhav & others Applicants

VERSUS

The State of Maharashtra & anotherRespondents

.....

Mr. S. J. Salunke, Advocate for Applicants.

Mr. C. V. Badane, APP for the State.

WITH
ANTICIPATORY BAIL APPLICATION NO. 889 OF 2024

Amol Sakharam Jadhav & others Applicants

VERSUS

The State of Maharashtra & another Respondents

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Mr. S. J. Salunke, Advocate for Applicants.

Mr. C. V. Badane, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 3rd OCTOBER, 2024.

PER COURT :

1. These Applications have arisen out of the incident occurred on 15.05.2024 i.e. during the period of General Elections. There are three First Information Reports lodged. One is by the police officer, who, in his report speaks about mob of 100 to 150 persons gathering at the spot and they raising slogans against each other. On the basis of said information, Crime No. 0258/2024 came to be registered with Kaij Police Station, Dist. Beed, for the offences punishable under Sections 308, 143, 144, 145, 146, 147, 148, 149 of the Indian Penal Code and Section 135 of Maharashtra Police Act. Two other reports came to be lodged; at the instance of Sakharam Jadhav vide Crime No. 259/2024 and Rajendra Gharne vide Crime

No. 257/2024. In these two First Information Reports, there are allegations made against each other.

2. Learned counsel for informants in these two crimes have recorded no objection for grant of anticipatory bail to the accused. It is their submission that in respect of the same incident, three reports came to be lodged and there is reason to believe that the reports lodged by the individuals are by way of exaggeration in order to ensure registration of crime against each other. It is submitted that the report lodged by police officer does not indicate use of any other weapon except for stones and sticks being used in the said crime.

3. Learned counsel Mr. Salunke submitted that after grant of interim relief, the Applicants have attended the concerned police station and cooperated in the investigation and as such there is no reason for rejecting the Application.

4. It is submitted by learned counsel Mr. Jadhavar that once there is reason to accept the contention that the First Information Report lodged by the informant is by way of exaggeration, the report lodged by police officer only needs consideration at this

stage, being neutral. Perusal of report lodged by police officer does not indicate use of deadly weapon including firearm or actual incident of opening of fire. Thus, there is reason to believe that the report lodged by rival groups are exaggeration.

5. Applicants were protected by the interim relief and directed to cooperate in the investigation. There is nothing on record to indicate that they did not cooperate so. There is no claim of prosecution that custodial interrogation of Applicants is necessary. Hence, Applications are allowed in terms of the interim order.

(R. M. JOSHI)
Judge

dyb