



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

964 ANTICIPATORY BAIL APPLICATION NO. 892 OF 2024

Maresh Gangaram Karhe

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. S.R. Mhaske h/f Mr. Rahul R. Karpe
APP for Respondents: Mr. R.B. Dhaware

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CORAM : SHIVKUMAR DIGE, J.
DATED : 10th JULY, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No. 1237 of 2023 registered with Parner Police Station, district Ahmednagar, for the offences punishable under sections 327, 504, 506 r.w. 34 of the Indian Penal Code.

2. It is the prosecution's case that on 21.12.2023 when the informant and her husband were working in their field, at that time, the applicant and co-accused assaulted the informant and her husband. It is alleged that co-accused snatched the mobile of the informant and gold chain from the neck of the informant. The allegations against the applicant are that he hit a helmet on the head of husband of the informant.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. Considering the allegations against the applicant, his custodial interrogation is not required. Hence he requested to allow the application.

4. It is the contention of the learned APP that the applicant assaulted the husband of the informant with helmet on his head. He was a part of group who snatched the mobile and gold chain of the informant. Considering the allegations against the applicant, his custodial interrogation is required. Hence he 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. In the F.I.R. the allegations against the applicant are that he hit a helmet on the head of husband of the informant. The medical papers produced on record show that the husband of the informant has sustained contusion on 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 crime

No. 1237 of 2023 registered with Parner Police Station, district Ahmednagar, for the offence punishable under sections 327, 504, 506 r.w. 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.)

rlj/