



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

917 ANTICIPATORY BAIL APPLICATION NO. 953 OF 2024

1. Parwatibai Vijay Lokhande
2. Dhamjyot Vijay Lokhande

..APPLICANTS

-VERSUS-

1. State of Maharashtra
2. The Superintendent of Police

..RESPONDENTS

Advocate for Applicants : Mr. A.D. Hande
APP for Respondent/State: Ms.V.S. Chaudhari

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 23rd July, 2024.

P.C.:

1. The applicants apprehend arrest in connection with FIR No.110 of 2024 registered with Hadgaon Police Station, Dist. Nanded, for the offences punishable under sections 307, 324 read with 34 of the Indian Penal Code (For short, "IPC").
2. It is prosecution's case that on 14th April, 2024, during celebration of Dr.Babasaheb Ambedkar Jayanti at village Talni, Tq.Hadgaon, Dist. Nanded, co-accused Santosh was moving around with plastic pipe. The informant Annasaheb snatched the said pipe to avoid injury to any person in the procession. After getting upset with the informant, co-accused Santosh, his father Vijay, his mother Parwatabai (applicant no.1) arrived there. Accused Vijay and applicant no.1 caught hold the hands of the informant and then the co-accused Santosh inflicted injuries of blade on the left ear and neck of the

informant. When the informant shouted for help, co-accused Santosh uttered the words "तूझा तर गळाच कापून जिवे मारतो" and again started hitting the informant. His brother Sachin arrived there to rescue him. At that time, applicant no.2 caught him and co-accused Santosh inflicted blade injuries on his right cheek. Thereafter, the informant lodged the report against the applicants and co-accused.

3. It is contention of the learned counsel for the applicants that the applicants have been falsely implicated in this case due to family dispute with the informant's family. The learned counsel further submitted that there is two days delay in lodging the complaint and injuries caused to the informant and his brother are simple in nature. Accused no.1 and other co-accused have been arrested and have been released on regular bail by the trial Court. Custodial interrogation of the applicants is not required, hence requested to allow the application.

4. It is contention of the learned APP that applicant no.1 had caught hold the hand of the informant and co-accused Santosh assaulted informant with blade. The learned APP further submitted that applicant no.2 has criminal antecedents. He has caught hold the informant's hand and co-accused Santosh assaulted with blade on his right cheek. The learned APP further submitted that custodial interrogation of the applicants is required and hence 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 applicants are that they caught hold the hands of first informant and his brother and co-accused assaulted with blade to them. The co-accused against whom the allegations are that they assaulted the informant and his brother with blade have been released on regular bail by the trial Court. Considering the allegations against the applicants, their 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 applicants in connection with FIR No.110 of 2024 registered with Hadgaon Police Station, Dist. Nanded, for the offences punishable under sections 307, 324 read with 34 of the Indian Penal Code, the applicants be released on executing personal bond in the sum of Rs.15,000/- each with one surety of the like amount by each of them, on the following conditions :-
 - (a) the applicants shall attend the concerned police station as and when required by the Investigating Officer.

[SHIVKUMAR DIGE, J.]