



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

966 ANTICIPATORY BAIL APPLICATION NO. 969 OF 2024

Anil Anshiram Kale

..APPLICANT

-VERSUS-

1. State of Maharashtra
2. The Superintendent of Police

..RESPONDENTS

Advocate for Applicant : Mr. Sarvesh J. Naik
APP for Respondent/State: Mr.P.K. Lakhotiya

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CORAM : **SHIVKUMAR DIGE, J.**
DATE : 4th July, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.153 of 2024 registered with Police Station, Talwada, Dist. Beed, for the offence punishable under sections 307, 324 read with 34 of the Indian Penal Code (For short, "IPC").
2. It is prosecution's case that on 4th May, 2024, the informant Sagar Pandhare lodged the report alleging that on 1st May, 2024, at about 9.00 p.m., he along with his friends were sitting in village Thakar-Adgaon, Tq. & Dist. Beed. At that time, the present applicant along with other co-accused came there and assaulted him by stick and iron rod on account of previous quarrel. In the said assault, he and his father sustained bleeding injuries. Accordingly the report is lodged.
3. It is contention of the learned counsel for the applicant that in the F.I.R. no specific role is attributed to the applicant. The allegations of

assault are against accused nos.1 and 2. Accused nos.1 and 2 have been released on regular bail. Investigation is completed. Considering the allegations against the applicant, his custodial interrogation is not required, hence requested to allow the application.

4. It is the contention of the learned APP that the applicant along with co-accused assaulted the first informant and his father with iron rod and stick. The injury certificate supports the statement of the first informant. The applicant is absconding since lodging of the F.I.R. His custodial interrogation is required, 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. In F.I.R. allegations against the applicant are that he was present with accused nos.1 and 2. The allegations of assault are against accused nos.1 and 2, they have been released on regular bail. No specific role of assault are attracted to the applicant. Considering these aspects, custodial interrogation of the applicant 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.153 of 2024 registered with Police Station, Talwada, Dist. Beed, for the offence punishable under sections 307, 324 read with 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.]

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