



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

971 ANTICIPATORY BAIL APPLICATION NO. 1065 OF 2024

1. Sudhir Subhash Patil
 2. Anil Dattu Patil
 3. Rahul Dilip Patil @
Rahul Vijay Patil
- ...Applicants

Versus

The State of Maharashtra

...Respondents

...

Advocate for Applicant : Mr. Amol S. Sawant
APP for Respondents: Mr. N.B. Patil
Advocate to assist the A.P.P. : Mr. B.S. Deshmukh
Mr. Sanjay S. Khandare (B No. 2840) PHC, Jamner police
station.

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CORAM : SHIVKUMAR DIGE, J.
DATED : 1st AUGUST, 2024.

PER COURT :-

1. The applicants apprehend arrest in connection with crime No. 247 of 2024 registered with Jamner Police Station, district Jalgaon, for the offences punishable under Sections 143, 147, 148, 149, 452, 327, 324, 323, 504, 506 and 427 of I.P.C.

2. It is the prosecution's case that on 9.5.2024, at around 5.30 p.m. when the informant was standing in front of his house, at that time, co-accused Bhushan Patil came there and abused the informant without any reason and went away. Thereafter, when the

informant was present in his house alongwith his family members, at that time, the co-accused and the applicants came there with wooden sticks in their hands. It is alleged that the applicants and co-accused barged in the house of the informant and assaulted the informant and his family members. The allegations against the applicants are that applicant No.1 had beaten Sudarshan Patil with iron rod and applicant Nos. 2 and 3 were present at the spot of incident.

3. It is the contention of the learned counsel for the applicants that the applicants have been falsely implicated in this case. The injury certificate of Sudarshan shows that he had sustained simple injury. No role is attributed to applicant Nos. 2 and 3. The entire incident is captured in the CCTV footage. Only due to the old dispute, the informant had accentuated the incident. Considering the allegations against the applicants, their custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP assisted by Mr. Deshmukh, learned counsel, that the applicants were the part of group who entered in the house of the informant and assaulted the informant and his family members. Some of the co-accused assaulted the family members and the informant with axe and iron rod. Considering the allegations against the applicants, their

custodial interrogation is required and requested to reject the application.

5. I have heard all the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegation against applicant No.1 is that he assaulted the witness Sudarshan with iron rod. The injury certificate of Sudarshan shows that he had suffered simple injury. There are no specific allegations against the applicant Nos. 2 and 3. Considering this fact, the custodial interrogation of the applicants is not required and I pass the following order :-

ORDER

(i) The application is allowed.

(ii) In the event of arrest of all the applicants in connection with crime No. 247 of 2024 registered with Jamner Police Station, district Jalgaon, for the offences punishable under Sections 143, 147, 148, 149, 452, 327, 324, 323, 504, 506, 427 of I.P.C. they be released on executing personal bond in the sum of Rs.20,000/- each with one surety of the like amount by each of them, on the following condition :-

(a) the applicants shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)