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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 997 OF 2023

1. Kailas Umaji Dangat APPLICANTS
2. Swapnil Shivaji Dangat

VERSUS

The State of Maharashtra RESPONDENT

.....
Mr. Shriraj R. Wakale, Advocate for the applicants
Mr. N. B. Patil, APP for respondent - State
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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 15th JANUARY, 2024

ORDER :

1. Applicants apprehend arrest in Crime No. 447 of 2023 registered with Rahuru Police Station, Rahuri, District - Ahmednagar for offence punishable under sections 307, 324, 354, 327, 341, 323, 504, 506, 143, 147 and 149 of the Indian Penal Code.
2. FIR is lodged by Surekha Dilip Dangat alleging that her husband Dilip was not residing with her, since long, he was convicted and sentenced for 10 years imprisonment in Protection of Children From Sexual Offences Act. Later on, he was granted bail by High Court. Informant, her daughter and 14 months old

grand daughter, were residing together and she was cultivating agricultural land. Her husband Dilip came to her home on 29th April, 2023 at about 1.00 p.m. and told them to withdraw all the cases lodged against him and that he wanted to sell the land and house property to applicants. When informant and her daughter refused to withdraw the cases, Dilip strangled informant and threatened to kill her. He also assaulted his daughter with fists and kick blows. Applicant Kailas allegedly lifted grand daughter of informant from the lap of her mother and threw her on floor. Applicant Swapnil grabbed informant's daughter by neck and pulled her blouse and torn it. Accused Shivaji grabbed informant and Kailas and Swapnil called female members of their house namely, Lata, Rani and Durga, who also assaulted informant and her daughter.

3. Heard learned advocate for applicants and learned APP for the State. Perused the papers of investigation.

4. It appears that previously also, informant had lodged various complaints against her husband. In one of the offences, father of applicant No.2 was also accused. It appears that informant and her daughter are murdered by Sagar Sable – husband of informant's daughter Nutan, six months after the present incident. Injury certificate placed on record, *prima facie*

does not support allegations of assault on the part of applicants. In the facts of the present case, custodial detention of applicants is not warranted. In that view of the matter, following order-

ORDER

- A. Anticipatory Bail Application is allowed by confirming the interim protection granted by order dated 26th June, 2023.
- B. Till filing of the charge sheet, applicants shall attend the concerned police station as and when called by the Investigating Officer.
- C. Applicants Shall not tamper prosecution evidence and shall not influence prosecution witnesses.

[NITIN B. SURYAWANSHI]
JUDGE