



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

75 ANTICIPATORY BAIL APPLICATION NO. 1145 OF 2024

SYED IMAM SYED ISAK
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Mundhe Kartik Dnyanoba
APP for Respondent/State : Mr.P.K. Lakhotiya

...
CORAM : **SHIVKUMAR DIGE, J.**

DATE : 29th July, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.0151 of 2024 registered with Kotwali Police Station, Parbhani for the offences punishable under sections 307, 323, 427 and 452 read with 34 of the Indian Penal Code (For short, "IPC").
2. It is prosecution's case that on 26th April, 2024, at around 6:00 to 6:30 p.m., when the informant, his brother were sitting in the office of one political party, at that time the applicant and co-accused came there and they abused the informant. It is alleged that the applicant and co-accused assaulted the informant with iron rod on his both legs and damaged the articles kept in that office.
3. It is contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The injuries sustained by the informant are simple in nature. Due to political rivalry the name of the applicant is mentioned in the F.I.R. Considering the allegations against the applicant, his custodial interrogation is not

required, hence requested to allow the application.

4. It is contention of the learned APP that the applicant was part of group, who assaulted the informant with iron rod. Informant has sustained three injuries. Though these are simple in nature but the applicant and other co-accused tried to kill the informant and damaged the articles kept in the office. Custodial interrogation of the applicant 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. The accused no.1 has been released on regular bail by the Sessions Court. The rod used in the crime is recovered at the instance of accused no.1. The allegations against the applicant are that he along with co-accused assaulted the informant with iron rod. Injury certificate produced on record shows that informant had suffered the simple injuries. Rod used in the crime is recovered. Considering these aspects, custodial interrogation of the applicant is not required and 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.0151 of 2024 registered with Kotwali Police Station, Parbhani for the offences punishable under sections 307, 323, 427 and 452 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.]

sga