



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

967 ANTICIPATORY BAIL APPLICATION NO. 1160 OF 2024

Ajay @ Ajaysinh Diliprao Raut

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. Sudarshan J. Salunke

APP for Respondents: Mr. S.B. Narwade

Advocate to assist the A.P.P. : Mr. S.B. Solanke

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CORAM : SHIVKUMAR DIGE, J.

DATED : 23rd AUGUST, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No.130 of 2024 registered with Majalgaon City Police Station, district Beed, for the offences punishable under Sections 327, 143, 147, 148, 149, 323, 504, 506 of the Indian Penal Code.

2. It is the prosecution's case that on 5.4.2024 around 5.30 p.m. to 6.00 p.m. when the informant was present near Prakash Hair cutting saloon, at that time the applicant came there and asked him why he took his name in the incident of arson of the Bungalow of M.L.A. It is alleged that the applicant and co-accused abused the informant and beaten him. When the informant fell on the ground, he was dragged by the applicant and the co-accused. It is alleged that the applicant and co-accused assaulted the informant with wooden

rod. The applicant took out Rs.7000/- from the shirt pocket of the informant and took out a gold ring weighing 5 gms. from the finger of the informant.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case due to political rivalry. The entire incident is captured in the mobile shooting. In the said shooting, verbal altercation between the applicant and the informant are shown and there was scuffle between them. No incident as alleged by the informant is happened. Learned counsel further submitted that out of three cases registered against the applicant, two cases are in respect of agitations against reservation for Maratha community. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP alongwith learned counsel to assist the A.P.P. that the applicant assaulted the informant with co-accused at the public place. Learned A.P.P. further submitted that the applicant dragged the informant on road and assaulted him with wooden rod. It shows the involvement of the applicant in the said crime. The applicant is the main accused. The applicant is politically influential person, if he is released, he may

pressurize the prosecution witnesses. The applicant has criminal antecedents. Considering the allegations against the applicant, his 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. It is alleged that the entire incident is recorded in the mobile shooting. The police papers show that in the said shooting no incident of taking of amount of Rs.7000/- and gold ring is appearing. There was scuffle between the applicant and the informant. The applicant and co-accused assaulted the informant. Though it is alleged that the applicant had suffered injury but no injury certificate is produced with the police papers. Considering these facts, custodial interrogation of the applicant is not required and I pass the following order :-

ORDER

- (i) The application is allowed.
- (ii) The interim anticipatory bail granted to the applicant vide order dated 24.07.2024 stands confirmed on the same terms and conditions.

(SHIVKUMAR DIGE, J.)