



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

979 ANTICIPATORY BAIL APPLICATION NO. 1183 OF 2024

1) Pramod Kishan Jondhale (disposed of)
2) Maya Pramod Jondhale

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. V.S. Wakle h/f Mr. S.G. Ghongade

APP for Respondents: Mr. B.B. Bhise

Advocate to assist the A.P.P. : Mr. S.S. Jangada

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CORAM : SHIVKUMAR DIGE, J.

DATED : 29th AUGUST, 2024.

PER COURT :-

1. The applicant No.2 apprehends arrest in connection with crime No.309 of 2024 registered with Mondha Police Station, Parbhani, district Parbhani, for the offences punishable under Sections 307, 326, 504 r.w. 34 of the Indian Penal Code.

2. It is the prosecution's case that there was dispute between the applicant and the informant's family due to quarrel between the children. It is alleged that on 13.6.2024 when the informant was working in the field, at that time around 11.00 a.m. accused Nos. 1 and 2 and the applicant came there and they assaulted the informant with intention to kill him. It is alleged that accused Nos. 1 and 2 assaulted the informant with axe and iron rod whereas the applicant

no. 2 assaulted the informant with wooden stick on his leg, hand and back.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The informant and his family members attacked the applicant. The applicant was injured in the said attack. The informant had not received injury to his back. Accused Nos. 1 and 2 have been arrested by the police and they are behind bar. Considering the allegations against the applicant, her custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP alongwith learned counsel for assisting the A.P.P. that the applicant and accused Nos. 1 and 2 assaulted the informant with intention to kill him. Due to the said assault, the informant had sustained grievous injuries. The applicant assaulted the informant with wooden stick. It shows the involvement of the applicant in the crime. Considering the allegations against the applicants, her 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 allegations against the

applicant are that when the informant fell on the ground due to assault of accused Nos. 1 and 2, at that time, the applicant assaulted the informant with wooden stick on his back, hands and legs. The injury certificate of the informant does not show any injury sustained to him on his back side. Considering the allegations against the applicant, her custodial interrogation is not required and I pass the following order :-

ORDER

- (i) The application is allowed.
- (ii) The interim anticipatory bail granted to the applicant No.2 vide order dated 15.07.2024 stands confirmed on the same terms and conditions:-

(SHIVKUMAR DIGE, J.)

rlj/