



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

954 ANTICIPATORY BAIL APPLICATION NO. 1207 OF 2024

Akil Chotu Dargewale
VERSUS
The State of Maharashtra

Advocate for Applicant : Mr. Vishal A. Bagdiya
APP for Respondents: Mr. P.P. Dawalkar

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CORAM : SHIVKUMAR DIGE, J.
DATED : 3rd SEPTEMBER, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No.400 of 2024 registered with Hingoli Town Police Station, district Hingoli, for the offences punishable under Sections 307, 326, 452, 324, 323, 506, 143, 147, 148, 149 of the Indian Penal Code and under sections 4, 25 of Arms Act.

2. It is the prosecution's case that on 12.6.2024 around 9.00 a.m. when the informant was present in his house, at that time, the co-accused came to his house with weapons in their hands and assaulted the informant, his uncle and other family members. Due to that assault, the informant, his uncle and the family members got seriously injured. It is alleged that they had intention to kill the informant and his family members. The allegations against the

applicant are that he assaulted the uncle of the informant with wooden stick on his right hand.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The allegations against the applicant are that he assaulted on the right hand of the uncle of the informant. The injury certificate shows that he has not received any injury. 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 that the applicant alongwith the co-accused assaulted the informant, his uncle and other family members with intention to kill them. The informant and his family members were seriously injured in the said assault. The applicant was the part of group who assaulted the informant and his family members. Considering the allegations against the applicant, his custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicant are that he was part of the group who assaulted the

informant and his family members and he assaulted the uncle of the informant with wooden stick. Except this allegation, there are no allegations against the applicant. The injury certificate of the witness Hussain Ramzan shows that he had suffered pain on left ankle and left forearm. Considering the allegations against the applicant, his custodial interrogation 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 crime No.400 of 2024 registered with Hingoli Town Police Station, district Hingoli, for the offences punishable under Sections 307, 326, 452, 324, 323, 506, 143, 147, 148, 149 of the Indian Penal Code and under sections 4, 25 of Arms Act, the applicant be released on executing personal bond in the sum of Rs.20,000/- with one surety of the like amount, on the following condition :-
 - (a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)

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