



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

38 ANTICIPATORY BAIL APPLICATION NO. 1239 OF 2024

Laxman Namdev Kathmore & anotherApplicants

VERSUS

The State of Maharashtra & anotherRespondents

.....
Mr. B. S. Chondhekar, Advocate for Applicants.
Mr. P. K. Lakhotiya, APP for the State.

AND
ANTICIPATORY BAIL APPLICATION NO. 1237 OF 2024

Mukta Sopan Kathmore Applicant

VERSUS

The State of Maharashtra & anotherRespondents

.....
Mr. B. S. Chondhekar, Advocate for Applicants.
Mr. P. K. Lakhotiya, APP for the State.

AND
ANTICIPATORY BAIL APPLICATION NO. 1243 OF 2024

Bhagwan Laxman Kathmore Applicant

VERSUS

The State of Maharashtra & anotherRespondents

.....
Mr. B. S. Chondhekar, Advocate for Applicants.
Mr. P. K. Lakhotiya, APP for the State.

AND
39 ANTICIPATORY BAIL APPLICATION NO. 1241 OF 2024

Suvarna Bhagwan KathmoreApplicant

VERSUS

The State of Maharashtra & anotherRespondents

Mr. B. S. Chondhekar, Advocate for Applicants.
Mr. P. K. Lakhotiya, APP for the State.

CORAM : R. M. JOSHI, J.
DATE : 14th OCTOBER, 2024.

PER COURT :

1. Applicants apprehend arrest in connection with Crime No. 0137/2024 registered with Bamani Police Station, Tq. Jintur, Dist. Parbhani, for the offences punishable under Sections 323, 324, 327, 506 read with Section 34 of the Indian Penal Code.

2. First informant Ratnamala reported incident occurred on 21.06.2024. It is her contention that present Applicants came in the room where she was residing and abused and assaulted her with fists and kicks blows. There is allegation against her brother Bhagwan that he snatched cash of Rs. 30,000/- and purse with gold ornaments from her and the same was given to her sister-in-law.

3. Learned counsel for the Applicants submits that admittedly there are disputes between the parties over partition of the property. He drew attention of the Court to the fact that there is delay in lodging of the report as the incident has allegedly occurred on 21.06.2024 whereas report is lodged on 23.06.2024. He, therefore, submits that this is a case of false/over implication.

4. Learned APP opposed the application by drawing attention of the Court to the injury certificate indicating causing of injury on the person of the informant. According to him, there are statements of neighbouring witnesses who have seen occurrence of the incident as narrated in the First Information Report.

5. In the First Information Report itself it is mentioned that there are disputes between the parties in respect of their share in the property and civil proceedings are filed by the informant against the Applicants. The alleged incident has occurred on 21.06.2024 whereas report is lodged on 23.06.2024. There is no explanation for causing delay in lodging of the report. There are no criminal antecedents against the present Applicants. Having regard to the delay in lodging of the report, this Court finds substance in the

contention of learned counsel for the Applicant that false allegations could have been made against Applicants with regard to snatching of cash as well as gold ornaments from her. Appropriate directions to the Applicants to appear before the Investigating Officer for the purpose of recovery, if any, will suffice the purpose of investigation. Hence, applications are allowed in terms of the interim order. Applicants Bhagwan Laxman Kathmore and Suvarna Bhagwan Kathmore are directed to attend the concerned police station once in a fortnight.

(R. M. JOSHI)
Judge

dyb