



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

990 ANTICIPATORY BAIL APPLICATION NO. 1273 OF 2024

1. Rameshwar Shamrao Aalgude
 2. Bandu Seetaram Devkar
 3. Suresh Raghunath Pawar
 4. Baburao Ramdas Devkar
 5. Narayan Ramdas Devkar
 6. Bapurao @ Lalasaheb Pralhad Mohite
 7. Anil Pralhad Mohite
- ...Applicants

Versus

1. The State of Maharashtra
 2. The Superintendent of Police
Beed
- ...Respondents

Advocate for Applicant : Mr. Dnyaneshwar B. Pokale
APP for Respondents: Mr. P.K. Lakhotiya

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CORAM : SHIVKUMAR DIGE, J.
DATED : 1st AUGUST, 2024.

PER COURT :-

1. The applicants apprehend arrest in connection with crime No. 208 of 2024 registered with Beed Rural Police Station, district Beed, for the offences punishable under Sections 143, 147, 148, 149, 323, 326, 504 and 506 of the Indian Penal Code.

2. It is the prosecution's case that on 17.6.2024 the informant Vishal Yadav went to his agricultural land at Songaon, Tq. and district Beed to meet his mother. When he reached near hotel Nivant, at

about 5.30 p.m. applicant No.1, resident of his village came near to him. When the informant stopped the motorcycle, it is alleged that accused No.1 caught hold of the informant. At that time, co-accused Bhagwat Bhoite came there and asked the informant why he always was found in company of Manesh Jaigude and inflicted blow of axe on the back side of his head. Then the informant fell down. It is alleged that at that time, the applicants alongwith other accused came there, abused and assaulted the informant with fist and kick blows.

3. It is the contention of the learned counsel for the applicants that the allegations against the applicants are that they abused the informant and assaulted with fist and kick blows. Learned counsel further submitted that the applicants have been falsely implicated in this case due to political rivalry. Considering the allegations against the applicants, their custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP that the applicants and co-accused assaulted the informant with intention to kill him. The applicants were the part of the group who assaulted the informant. Considering the allegations against the applicants, their 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. In the F.I.R. the main allegations are against the co-accused Bhagwat Bhoite. The allegations against the applicants are that when the informant fell on the ground, at that time the applicants assaulted him with fist and kick blows. Considering the allegations against the applicants, their 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 applicants in connection with crime No. 208 of 2024 registered with Beed Rural Police Station, district Beed, for the offences punishable under Sections 143, 147, 148, 149, 323, 326, 504 and 506 of the Indian Penal Code, the applicants be released on executing personal bond in the sum of Rs.20,000/- each with one surety of the like amount by each of them, on the following condition :-

(a) the applicants shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)

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