



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

959 ANTICIPATORY BAIL APPLICATION NO. 147 OF 2024

APPASAHEB RAYBHAN GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Shashikant E. Shekade.

APP for Respondent/State : Ms. D. S. Jape.

...

AND

ANTICIPATORY BAIL APPLICATION NO. 150 OF 2024

LAXMAN @ AMOL APPASAHEB GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Shashikant E. Shekade.

APP for Respondent/State : Ms. D. S. Jape.

...

AND

CRIMINAL APPLICATION NO. 3248 OF 2024
IN ABA/147/2024

AKSHAY ANIL YETHEKAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicant : Mr. Vikrant S. Valse.

APP for Respondent/State : Ms. D. S. Jape.

...

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 09th August, 2024.

P.C.:

. In the anticipatory bail applications, the applicants

apprehend arrest in Crime No.2 of 2024, registered with Sonai Police Station, District Ahmednagar, for the offences punishable under Sections 307, 323, 324, 326, 327, 341, 427, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code.

2 It is the prosecution's case that the informant was assaulted by the applicants and co-accused with intention to kill him on 31st December, 2023 by sword, iron rod and wooden sticks.

3 It is the contention of the learned counsel for applicants that the applicants have been falsely implicated in this case. The other co-accused have been released on bail. The learned counsel further submitted that the matter is settled between the informant and the applicants and the informant has filed application before this Court stating that bail be granted to the applicants. Hence, he requested to allow the anticipatory bail applications.

4 It is the contention of the learned APP that the informant has received grievous injuries. His leg is fractured. Considering the nature of injuries, custody of the applicants is required, though the matter is settled between the applicants and the informant. The offence is against the society. Hence, she requested to reject the anticipatory bail applications.

5 The learned counsel for informant submits that the informant has filed application stating that the informant has no objection to allow the anticipatory bail applications as the matter is settled between the informant and the applicants.

6 I have heard all the learned counsel. Perused the FIR and the police papers produced on record. It is alleged that the applicants have assaulted the informant alongwith co-accused with intention to kill him. The matter is settled between the applicants and the informant. The other co-accused have been released on bail. As the informant has no objection to allow the anticipatory bail applications, I pass the following order:-

ORDER

- I. Both the anticipatory bail applications are allowed.
- II. In the event of arrest of applicants in Crime No.2 of 2024, registered with Sonai Police Station, District Ahmednagar, for the offences punishable under Sections 307, 323, 324, 326, 327, 341, 427, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code, they be released on executing personal bond of Rs.15,000/- each with one surety in the like amount by each of them, on the following conditions:-
 - a) The applicants shall attend the concerned police station as and when required and shall co-operate

in the investigation.

- I. Accordingly, Criminal Application No.3248 of 2024 is disposed of.

[SHIVKUMAR DIGE, J.]

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