



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 1289 OF 2023

ROHIDAS RAJEBHAU JADHAV
VERSUS
THE STATE OF MAHARASHTRA

...

Mr. Amar V. Lavte, Advocate for Applicant
Mr. S.D. Ghayal, APP for Respondent – State
Mr. K.B. Jadhav, Advocate for Informant,

...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 30th JANUARY, 2024

PER COURT :

1. Applicant apprehends arrest in Crime No.161/2023, registered with Majalgaon Rural Police Station, Beed, for offence punishable under Sections 307, 327, 452, 143, 147, 149, 427, 324, 323, 504, 506 of the Indian Penal Code.
2. FIR is lodged by Gopal Ganeshrao Shejul on 14/06/2023 alleging that on 13/06/2023 at about 7:30 a.m. applicant Rohidas Rajabhau Jadhav along with Vikas Shivaji Jadhav and Nikhil Ram Gaikwad entered in his house and assaulted him by giving kicks and fist blows. Applicant Rohidas asked informant the reason as to why he and others are going to Collector Officer for submitting their complaint and continued to assault. His two brothers tried to intervene. Applicant Rohidas assaulted his brother Krushna by stick on his head with intention to kill him. Due to said blow, he felt giddiness and fell down.

3. Heard learned advocate for applicant, learned advocate for informant and learned Additional Public Prosecutor for State. Perused the investigation papers.

4. It appears that there was free fight between two groups on 13/06/2023. In present FIR 12 accused are named, whereas in the FIR lodged by applicant's side 13 accused are named, which is registered at C.R. No.166/2023, for offences punishable under Sections 326, 324, 323, 504, 506, 143, 147 and 149 of I.P.C. Applicant appears to be injured in the said incident and he has suffered two CLW injuries and one contusion. Four persons from applicant's side are injured in the said incident, whereas six persons from informant's side are injured in present crime.

5. Other accused in present crime are released on either regular bail or anticipatory bail. Weapons used in the crime are already recovered from the spot of incident. Charge-sheet in present crime is filed on 11/12/2023.

6. In that view of the matter, pre-trial custodial detention of applicant is not necessary. Nothing is to be recovered from applicant. Application is, therefore, allowed by confirming interim protection granted to applicant vide order dated 07th August, 2023. Applicant shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)