



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

**ANTICIPATORY BAIL APPLICATION NO. 1298 OF 2023**

Akshay Sanjay Hampe

....Applicant

**VERSUS**

The State Of Maharashtra And Another

.....Respondents

.....

Mr. A.C. Sisodiya, Advocate for applicant.

Mr. N.B. Patil, APP for respondents.

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**[CORAM : NITIN B. SURYAWANSHI, J.]**

**DATE : 18<sup>th</sup> JANUARY, 2024**

**ORDER :**

1. Applicant apprehends arrest in Crime No. 210/2023, registered with Ahmednagar Camp Police Station, Dist. Ahmednagar, for the offences punishable under sections 307, 326, 324, 323, 143, 147, 148, 149, 504, 506 r/w. 34 of the Indian Penal Code and Section 37(1)(3) and 135 of Maharashtra Police Act.

2. FIR is lodged by Avishkar Pund alleging that on 11.04.2023, when he along with his friends were dancing in the procession of Mahatma Phule birth anniversary, at about 8.30 pm, six accused persons including applicant entered into the procession. They quarreled and scuffled with informant's friend

*Bhagyawant Punde*

Rishikesh Jadhav. Then accused became aggressive and abused informant and his friends in filthy language. Accused Nilesh assaulted informant with wooden log on head. Accused Sonu assaulted Rishikesh by iron rod on his head. Other friends of informant Ram and Mangesh were beaten by wooden logs by accused Akshay Hampe, Abhi Shelar, Rohit Shirke and Anand Nayaku

3. Heard the learned advocate for applicant and learned APP for respondent-State. Perused the investigation papers.

4. Learned APP opposed the bail application by relying on the investigation papers. He submits that two offences are registered against the present applicant with Ahmednagar Camp Police Station at Crime No. 714/2023 under Sections 307, 324, 323, 504, 506, 143, 147, 148, 149 of IPC and Crime No. 829/2023 under sections 143, 147, 149, 323, 504 and 506 of IPC.

5. Co-accused who are similarly situated like of present applicant have been granted anticipatory bail by the Sessions Court.

6. Learned advocate for applicant submits that applicant is granted anticipatory bail in Crime No. 714/2023.
7. Injury certificates of Mangesh and Ramchandra show one simple injury each suffered by them. Applicant's custodial detention, therefore, is not warranted in the facts of the present case.
8. In the result, application is allowed by confirming the interim protection order dated 07.08.2023.
9. Till filing of charge sheet, applicant shall attend the concerned police station as and when called by the investigating officer. Applicant shall not influence the prosecution witnesses.

**[NITIN B. SURYAWANSHI, J.]**