



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

964 ANTICIPATORY BAIL APPLICATION NO. 1438 OF 2024

1. Shrikant @ Amol Subhash Dhokle.
2. Baban @ Babanrao Uttam Jadhav. **... Applicants**

Versus

The State of Maharashtra and another. **... Respondents**

...
Advocate for Applicant : Mr. Sudheer Ramdas Zambare.
APP for Respondent/State : Mr. P. K. Lakhotiya.
Advocate for assist to PP : Mr. N. B. Patekar.
...

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 27th September, 2024.

P.C.:

. The applicant apprehends arrest in Crime No.471 of 2024, registered with Shevgaon Police Station, District Ahmednagar, for the offences punishable under Sections 143, 147, 148, 149, 307, 326, 327, 452, 367, 323, 504 and 506 of the Indian Penal Code.

2 It is prosecution's case that on 24th May, 2024 at around 11:30 pm when the informant was in a sleep in his house with family members, at that time, on land dispute, the applicants and co-accused came in his house and co-accused assaulted the informant with sword,

iron rod and wooden rod and took away gold chain and Rs.5,500/- from the informant's house. Due to said assault, two hands of the informant got fractured and he has also sustained grievous injuries to his head. It is alleged that the applicants were part of the said group, who assaulted the informant.

3 It is the contention of the learned counsel for applicants that the names of applicants are mentioned in the FIR. The applicants have assaulted the informant with iron rod. The matter is settled between the applicants and the informant. Considering the allegations against the applicants, their custodial interrogation is not required. Hence, he requested to allow the application.

4 It is the contention of the learned APP that the applicants alongwith co-accused assaulted the informant with sword and iron rod and caused grievous injuries to the informant. Considering the allegations against the applicants, their custodial interrogation is required. Hence, he requested to reject the application.

5 The learned counsel for assist to prosecution submits that the matter is settled out of the Court and the informant has no objection to allow the application.

6 I have heard all the learned counsel. Perused the FIR and police papers produced on record. The allegations against the applicants are that alongwith co-accused they assaulted the informant with iron rod. The allegations of assaulting with iron rod are against five accused. The applicants are out of them. The bail applications of other co-accused are pending before the learned Sessions Judge. The matter is settled between the applicants and the informant and the informant has filed affidavit in this regard. Considering this fact, the custodial interrogation of the applicants is not required and I pass the following order:-

ORDER

- I. The anticipatory bail application is allowed.
- II. In the event of arrest of applicants in connection with Crime No.471 of 2024, registered with Shevgaon Police Station, District Ahmednagar, for the offences punishable under Sections 143, 147, 148, 149, 307, 326, 327, 452, 367, 323, 504 and 506 of the Indian Penal Code, they be released on executing personal bond of Rs.20,000/- each with one surety in the like amount by each of them on following conditions:-
 - a) The applicants shall attend the concerned police station as and when required by the Investigating Officer.
 - b) The applicants shall not indulge in similar activities again.

- c) The applicants shall not pressurize the prosecution witnesses, in any manner.

[SHIVKUMAR DIGE, J.]

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