



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1489 OF 2024

1. Eknath Mohan Harer
2. Pravin Eknath Harer
3. Mahesh Eknath Harer

VERSUS

The State Of Maharashtra

- Ms. M. V. Narwade, Advocate for the Applicants
- Mr. M. K. Goyenka, APP for the Respondent/State
- Mr. P. K. Wagh h/f Mr. B. S. Coure, Advocate for the Informant

CORAM : R.M. JOSHI, J

DATE : OCTOBER 09, 2024

PER COURT :

1. Applicants apprehend arrest in connection with with C.R. No. 299 of 2024 registered with Sonai Police Station, Dist. Ahmednagar for the offences punishable under Sections 352, 351(2), 351(3), 3(5), 118(1), 118(2), 115(2) of the Bharatiya Nyaya Sanhita.

2. First Informant Bandopant informs to the police that there are disputes between him and the Applicants over the agricultural land and Court cases are pending. It is alleged that on 12.07.2024 at about 11.15 his son Yuvraj was abused and assaulted by the

Applicants with sticks. In the said incident his son sustained injury and was admitted in the Kalamkar Hospital.

3. Learned Counsel for the Applicants submits that owing to the dispute between the parties, the possibility of false implication is not ruled out. According to her, the incident has occurred in 12.07.2024 whereas report is lodged on 13.07.2024 i.e., after more than 24 hours of the incident. Thus, according to him, this is a fit case for grant of anticipatory bail.

4. Learned APP and learned Counsel for Informant opposed the application by placing reliance on the injury certificate indicating causing of grievous injuries to the son of the informant. Since the injured is required to take to hospital, the delay is caused in lodging of the report does not fatal.

5. As mentioned in the FIR, there are disputes between the parties. As rightly pointed out by the learned Counsel for the Applicants that in such case

the possibility of false/over implication is not ruled out, in view of the fact that incident has occurred at 11.15 am on 12.07.2024 whereas the injured was examined at 07.45 pm on 13.07.2024. Appropriate direction to the Applicants to cooperate investigating agency and to treat the Applicants in custody for the purpose of recovery, if any, would be sufficient for further investigation effectively, remained if any.

6. In view of above, application stands allowed.
Hence, the order:

O R D E R

- (i) In the event of arrest of the Applicants in connection with C.R. No. 299 of 2024 registered with Sonai Police Station, Dist. Ahmednagar for the offences punishable under Sections 352, 351(2), 351(3), 3(5), 118(1), 118(2), 115(2) of the Bharatiya Nyaya Sanhita, they shall be released on bail on furnishing PR bond of Rs. 15,000 (Rupees Fifteen Thousand Only) each with one surety in the like amount.
- (ii) They shall attend the concerned police station as and when required.
- (iii) They shall not contact the witnesses directly or indirectly.
- (iv) They shall not interfere with the evidence in

any manner whatsoever.

- (v) They are further directed to cooperate the investigating agency for further investigation.

(R.M. JOSHI, J.)