



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

930 APPLICATION FOR CANCELLATION OF BAIL NO. 202 OF 2021

Shivaji Natha Nagare

VERSUS

1) The State of Maharashtra

2) Gokul Raghu Nagare

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Advocate for Applicant : Mr. Aghav Avinash D

APP for Respondent No.1: Mr. Mukesh K. Goyanka

Advocate for Respondent No.2 : Mr. N.B. Patekar

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**CORAM : SHIVKUMAR DIGE, J.**

**DATED : 19th JUNE, 2024.**

**PER COURT :-**

1. By this application, the applicant is seeking cancellation of bail granted to respondent No.2 in crime No. 625 of 2021 registered with Shevgaon police station, district Ahmednagar, for the offences punishable under Sections 307, 324, 504, 506 r.w. 34 of I.P.C.

2. It is the prosecution's case that on 20.10.2021 when the complainant was working in his field, at that time, respondent No.2 alongwith co-accused assaulted the complainant with weapons stick and iron pipe. The allegations against respondent No.2 is that he assaulted the complainant with wooden stick.

3. It is the contention of the learned counsel for the applicant

that the applicant is retired teacher and he is senior citizen and the respondent No.2 is continuously threatening the applicant. Hence, requested to allow the application and cancel the anticipatory bail granted to respondent No.2 by the Sessions Court.

4. Learned counsel for respondent No.2 requested to reject the application. Learned A.P.P. for the respondent State submitted that appropriate order be passed.

5. I have heard learned counsel for both sides. Perused the order passed by the Additional Sessions Judge, Ahmednagar in criminal M.A. No. 1774 of 2021 and the F.I.R.. While allowing the bail application of respondent No.2, the trial court has observed that allegations against respondent No.2 are that he has assaulted the complainant with wooden stick whereas co-accused assaulted the complainant with iron pipe. Due to the assault of iron pipe, the complainant has sustained injuries. On that ground, the trial court has granted anticipatory bail to respondent No.2. I do not find any infirmity in it. In my view, the allegations against respondent No.2 are that he assaulted the complainant with wooden stick. Moreover, the charge sheet has been filed against respondent No.2 and the matter is fixed for framing of charge. Hence, I do not find any reason to cancel the bail of respondent No.2. If respondent No.2 commits any

further act or violates the condition of bail, the applicant can file appropriate application against him. In view of the above, I pass the following order:-

**O R D E R**

The application is rejected.

**(SHIVKUMAR DIGE, J.)**

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