



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

51 ANTICIPATORY BAIL APPLICATION NO. 1787 OF 2024

1. Dhanraj s/o Lala Masule,
2. Pravin s/o Nanabhau Masule

VERSUS

1. The State of Maharashtra
2. The Superintendent of Police
Tal & Dist. - Dhule

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Advocate for Applicants : Ms. Rutuja L. Jakhade
and Mr. Suniket Anil Kulkarni,
APP for Respondents: Mr. D. B. Bhangе

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WITH
CRIMINAL APPLICATION NO. 4554 OF 2024
IN ABA/1787/2024

Shri Hiranman s/o Tryambak Bagul

Versus

1. Shri Dhanraj s/o Lala Masule,
2. Pravin s/o Nanabhau Masule,
3. State of Maharashtra

...

Advocate for Applicant : Mr. Nilesh N. Desle
Advocate for Respondent Nos. 1 and 2 : Ms. Rutuja L. Jakhade
and Mr. Suniket Anil Kulkarni,
APP for Respondent No. 3 /State : Mr. D. B. Bhangе

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CORAM : R.M. JOSHI, J.

DATE : 16.12.2024

PER COURT :

1. At the outset, Mr. Nilesh N. Desle, learned counsel seeks leave to assist Public Prosecutor on behalf of informant. Having regard to the nature of offence, leave granted. Criminal Application No. 4554 Of 2024 stands disposed of.
2. This application is for anticipatory bail in connection with Crime No. 0108 of 2024 dated 09.04.2024 registered with Nizampur Police Station, District Dhule for the offences punishable under Sections 307, 326, 354, 452, 323, 324, 201, 504 and 506, 143, 147, 148, 149 of the Indian Penal Code and 4/25 of the Arms Act.
3. First Information Report reveals that the incident has occurred in which the informant was assaulted by the present applicants and three other co accused. It is alleged that the accused came at spot with iron rod, sticks and caused assault. In the same incident, he has sustained grievous injury.
4. The learned counsel for the applicants submits that the investigation in the crime is over and as such with the custodial interrogation of the applicants is not necessary. It is her submission that the allegations in the FIR are omnibus in nature. It would attention to

the court to the copy of charge-sheet, which indicates that the weapon allegedly used by the applicant i.e. rod and stick are already seized. It is her further contention that nothing is to be recovered at their instance.

5. Learned APP and learned counsel for the informant opposed the application on the ground of seriousness of the crime. It is their contention that even sword is used in the crime and is yet to be recovered. They also contention about the injury certificate indicating the causing of grievous injury to the informant.

6. There is no denial of the fact that investigation is already over. Perusal of First Information Report as well as supplementary statement do not indicate that present applicants were holding any sword. The weapons alleged to have been used by these applicants are already seized. As such, nothing is to be recovered at their instance. There are no criminal history behind them. Therefore, application is allowed in terms of interim order dated 22.10.2024.

(R.M. JOSHI, J.)