



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

**ANTICIPATORY BAIL APPLICATION NO. 1792 OF 2023**

Goniwala Ikbalkhan Bashirkhan @ Ikbal Shaikh ....Applicant

**VERSUS**

The State Of Maharashtra And Another .....Respondents

.....

Mr. R.K. Temkar, Advocate for applicant.

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

.....

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

**DATE : 22<sup>nd</sup> JANUARY, 2024**

**ORDER :**

1. Applicant apprehends arrest in Crime No. 519 of 2023, registered with Bhingar Camp Police Station, Ahmednagar, for the offences punishable under Sections 327, 452, 324, 323, 504, 506, 143, 147, 148, 149, of the Indian Penal Code.

2. FIR is lodged by Kaisar Asgar Syyed alleging that on 10.08.2023, when he was at construction site of his house, his neighbors Ajin Ikbal Shaikh, Ikbal Shaikh, Kaynat Ikbal Shaikh, Ujma Iqbal Shaikh and wife of Ikbal Shaikh came inside his compound and started protesting about compound wall. Accused No. 1 Ajin assaulted him with wooden baton on his left side of head, applicant assaulted him with stone on his head and back

*Bhagyawant Punde*

and Kaynat Shaikh caused bite injury on his left arm. Other accused assaulted with kicks and fist blows. All the accused threatened to kill him. They also took away Rs. 10-12 thousand kept on the chair for the construction.

3. Heard learned advocate for applicant and learned APP for respondents. Perused the investigation papers.

4. *Prima facie*, it appears that on account of dispute in respect of compound wall, the incident has taken place. Informant sustained injuries on his head i.e. incised wound on temporal region and blunt trauma on head.

5. Applicant claims that his daughter had given an application on the date of incident to Police Inspector Bhingar Camp Police Station, Ahmednagar complaining about trouble given by informant. It is mentioned in the said complaint that while running away from the house of applicant, informant suffered head injury at the gate.

6. Main accused against whom assault by weapon is alleged was arrested and released on regular bail. Other accused were granted anticipatory bail. Investigation appears to be on the verge of completion. Applicant was granted interim

protection and he has co-operated in the investigation. Nothing is to be recovered from applicant. In the peculiar facts of the present case, custodial interrogation of applicant is not necessary.

7. In the result, application is allowed by confirming the interim protection order dated 30.10.2023.

8. Till filing of charge sheet, applicant shall attend the concerned police station as and when called by the investigation officer and shall co-operate in the investigation. Applicant shall not tamper the prosecution evidence.

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