

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

ANTICIPATORY BAIL APPLICATION NO. 1816 OF 2023

BHAGWAT DIGAMBAR MAHARNAVAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Mr. Vijay P. Latange, Advocate for Applicants
Ms. V.S. Chaudhari, APP for Respondents – State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 23rd JANUARY, 2024

PER COURT :

1. Applicants apprehend arrest in Crime No.392/2023, registered with Jamkhed Police Station, Ahmednagar, for offence punishable under Sections 307, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code.

2. After arguing at length on merits, when this Court was not inclined to grant relief to applicant Nos.1 and 2, learned advocate for applicants seeks permission to withdraw the application to the extent of applicant Nos.1 and 2. Permission granted. Application of applicant no.1 Bhagwat Digambar Maharnavar and applicant No.2 Sanjay @ Sanju Digambar Maharnavar is disposed of as withdrawn.

3. FIR is lodged by Mahadev Jalindar Maharnavar alleging that, on 20/08/2023 at about 07:00 p.m. Bhagwat and Sanjay tied

their cattles in the land of Mahadev. Dipak requested them that Cout has given decision in their favour and not to tie cattles in his land. Bhagwat and Sanjay assaulted informant and his family by iron rod. Vaibhav assaulted with axe, Ramkuvar and Urmila assaulted Mahadev and Dipak by stick. Sushila and Urmila assaulted mother of Mahadev and sister-in-law Alka by stick and iron rod.

4. Heard learned advocate for applicants and learned Additional Public Prosecutor for State. Perused the investigation papers.

5. It appears that cross-complaint is lodged at Crime No.390/2023 about the incident alleged in the FIR. One of the accused namely Shashikant alias Vaibhav in present crime is arrested and weapons allegedly used in the crime are recovered.

6. Applicants Ramkuvar and Urmila are also injured in the incident and their injury certificates are there in Crime No.390/2023. Considering the fact that applicants are women and weapons allegedly used in crime are already seized, their custodial interrogation is not necessary. Applicants were protected by interim order and they have co-operated in the investigation. Nothing is to be recovered from applicants.

7. In the result, application is allowed by confirming interim protection granted in favour applicant No.3 Ramkuvar w/o

Bhagwat Maharnavar, applicant No.4 Urmila alias Uma w/o Sanjay Maharnavar and applicant No.5 Sushila w/o Digambar Maharnavar, by order dated 02nd November, 2023. Till filing of charge-sheet, applicants shall attend concerned police station once in a week.

(NITIN B. SURYAWANSHI, J.)