



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

938 ANTICIPATORY BAIL APPLICATION NO. 2078 OF 2024

1] NARAHARI LAXMAN CHAVAN
2] VINOD DEVRAO BOINWAD
3] PIRAJI LAXMANA CHAVAN
4] DEVRAO LAXMAN BOINWAD

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for the applicants : Mr.R.R.Kazi
APP for Respondent-State : Mr.A.A.A.Khan

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CORAM : ARUN R. PEDNEKER, J.

DATE : 17.12.2024

P.C. :

1] The learned counsel for the applicants, on instructions, seeks leave to withdraw the present anticipatory bail application in respect of applicant no.2, namely, Vinod s/o. Devrao Boinwad.

2] Leave granted. The application in respect of applicant No.2 is dismissed as withdrawn.

3] The applicant Nos. 1, 3 and 4 are apprehending arrest in connection with Crime No. 298/2024 dated 23.10.2024 registered with Dharmabad Police Station Dist. Nanded, for the offence punishable under Section 118(2),

118(1), 189(2), 190, 324(4), 191(2), 191(3), 352, 351(2), 351(3) and 303(2) of the Bharatiya Nyaya Sanhita, 2023.

4] The learned APP has produced the video of the incident wherein it is seen that there are two groups of people, large in numbers, more than 20 people on both side across the fence and thereafter, there is altercation and thereafter in the fight wooden sticks are used. The role of the applicant-Vinod is seen, however, applicant No. 3 and 4 are not visible at all. As far as applicant No. 1 Narahari is seen in one case holding a stick that there is some altercation. Thereafter, there is no evidence that he is assaulting anybody. Although applicant No.1 Narahari seen in the video, he is not seen, assaulting anyone. There is large crowd, but in the video he is not seen assaulting anybody.

5] Considering that dispute between the parties is of civil nature and that the applicant nos.3 and 4 are not seen at all in the video and that the applicant no.1 is seen, holding a stick and not assaulting anyone, the application is allowed in respect of the applicant nos.1, 3 and 4 in the following terms :

i] In the event the applicant Nos. 1, 3 and 4 are arrested in connection with Crime No. 298/2024 dated 23.10.2024 registered with Dharmabad Police

Station Dist. Nanded, for the offence punishable under Section 118(2), 118(1), 189(2), 190, 324(4), 191(2), 191(3), 352, 351(2), 351(3) and 303(2) of the Bharatiya Nyaya Sanhita, 2023, they shall be released on bail on furnishing PR bond of Rs.15,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant Nos. 1, 3 and 4 shall attend concerned the police station as and when required.

iii] The applicant Nos. 1, 3 and 4 shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicant Nos. 1, 3 and 4 shall co-operate with the investigation and also in the proceedings before the trial Court.

6] In the event, the applicant Nos. 1, 3 and 4 violate any of the conditions specified in this order, it shall be liable to be cancelled.

7] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall

proceed further in the matter without being influenced by the observations made hereinabove.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

PRW