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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.2103 OF 2023

Harish Vijay Galathe

APPLICANT

VERSUS

The State of Maharashtra and Another

RESPONDENTS

.....
Mr. Abhishek C. Deshpande, Advocate for the applicant
Mr. A. R. Kale, APP for respondent - State
.....

WITH
ANTICIPATORY BAIL APPLICATION NO.1973 OF 2023

Karan Raju Zine

APPLICANT

VERSUS

The State of Maharashtra

RESPONDENT

.....
Mr. Akshay S. Tilve, Advocate for the applicant
Mr. A. R. Kale, APP for respondent - State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 7th MARCH, 2024

ORDER :

1. Applicants apprehend arrest in Crime No. 446 of 2023 registered with Mukundwadi Police Station, Aurangabad, District - Aurangabad for offence punishable under sections 307, 504, 506 read with 34 of the Indian Penal Code.
2. FIR is lodged by Rizwana Amin Shaikh alleging that on 10th

October, 2023, at 10.30 p.m. Nitin Magre and Harish Galathe demanded Rs.5000/- from her husband for party and when her husband refused to give the money, they started abusing and assaulting him. At that time Karan Zine and Sachin Magre came there. Sachin was carrying iron rod. Nitin took iron rod from Sachin and inflicted a blow of iron rod on the head of her husband, due to which her husband fell down. Sachin took iron rod from Nitin and started inflicting its blows on the back of her husband. Harish and Karan (applicants) assaulted her husband with fists and kick blows.

3. Heard learned advocates for applicants and learned APP for the State. Perused the papers of investigation.

4. Accused Nitin Magre, to whom assault with iron rod on the head of husband of informant is attributed, is arrested. Iron rod used in the crime is recovered from him.

5. Perusal of the injury certificate shows that injured has suffered injury on head, which is attributable to accused Nitin Magre. Assault by present applicants with fists and kick blows, is not supported by injury certificate placed on record. Applicants have no criminal antecedents. Nothing is to be recovered from them. Therefore, their pre-trial custodial detention is not necessary.

6. In the result, applications are allowed by confirming interim protection. Till filing of the charge sheet, applicants shall attend the concerned police station on every Saturday and Sunday between 10.00 a.m. and 12.00 noon and shall co-operate in the investigation. Applicants shall not, in any manner, tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

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