



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

ANTICIPATORY BAIL APPLICATION NO. 2018 OF 2023

SAHEBRAO RAMRAO WABLE
VERSUS
THE STATE OF MAHARASHTRA

...

Mr. Rahul R. Karpe, Advocate for Applicant
Mr. A. R. Kale, APP for Respondent/State
Mr. Shubham S. Kote, Advocate h/f Mr. A.V. Hon, Advocate for Informant

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 27th MARCH, 2024

PER COURT :

1. Applicant apprehends arrest in C.R. No.1212/2023, registered with Shrirampur City Police Station, Ahmednagar, for offence punishable under Sections 353, 341, 324, 323, 504, 506, 427, 143, 147, 148, 149 of the Indian Penal Code and Sections 37(1) (3) and 135 of the Maharashtra Police Act, 1951.

2. FIR is lodged by Kishor Pandurang Kale, Secretary, Krushi Utpanna Bazar Samiti, Shrirampur, alleging that on 21/11/2023 at about 01:30 p.m., when he had been to the office to take charge of his post from accused who is in-charge Secretary, at that time accused did not hand over charge to him. Accused abused him and rushed on him. He threatened informant and by calling 10-12 persons started assaulting him. In order to rescue himself when informant tried to sit in the car along with his friend Kailas Bhangе,

they restrained him, abused him and assaulted him by kicks and fists blows, hockey stick and belt and injured them. Threats were extended to kill him. In that incident, his friend Kailas Bhange lost golden chain and wrist watch.

3. Heard learned advocate for applicant, learned APP for respondent/State and learned advocate for informant. Perused the investigation papers.

4. It is the case of applicant that informant was working on the post of Secretary of A.P.M.C. and after conducting inquiry he was demoted as Supervisor and applicant is given charge of the post of Secretary of A.P.M.C. Due to the said grudge, malafidely applicant is implicated in present crime.

5. Perusal of investigation papers *prima facie* does not show any material connecting applicant to the present case. Even in the CCTV footage of alleged incident applicant is not seen. Only allegation against applicant is that he has instigated pelting of stones and attack on informant and his friend. But there is nothing on record to support the said allegation. There appears substance in contention of applicant that he is implicated in present crime due to grudge against him.

6. Investigation is almost complete and charge-sheet is likely to be filed. Nothing is to be recovered from applicant,

therefore, his pretrial custodial detention is not necessary in the facts of present case.

7. In the result, application is allowed by confirming interim protection granted to applicant by order dated 08/12/2023.

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

(NITIN B. SURYAWANSHI, J.)