



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2027 OF 2023

SUNIL RAMA PAGARE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Rahil R. Kazi, Advocate for Applicants

Mr. S.B. Jadhav, APP for Respondents – State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 16th JANUARY, 2024

PER COURT :

1. Applicants apprehend arrest in Crime No.414/2023, registered with Parola Police Station, Jalgaon, for offence punishable under Sections 326, 452, 354, 324, 143, 147, 148, 149, 120-B, 294, 504, 506 of the Indian Penal Code and Sections 37(1) and 37(3) of the Maharashtra Police Act, 1951.
2. FIR is lodged by Smt. Pushpa Ramkrushn Patil alleging that on 28/09/2023 total 24 accused persons including present applicants assaulted her husband and son with iron rod and wooden stick. In the said incident, her saree was pulled when she tried to intervene.
3. Heard learned advocate for applicants and learned Assistant Public Prosecutor for State. Investigating Officer is present in the Court and has produced investigation papers. Perused the investigation papers.

4. It appears from record that applicants' side has lodged FIR in respect of the same incident which is registered at Crime No.411/2023, with Parola Police Station, Jalgaon, for offence punishable under Sections 120-B, 143, 147, 148, 149, 307, 324, 323, 326, 294, 504, 506 of the Indian Penal Code and Sections 3(1)(f), 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

5. Perusal of investigation papers reveals that both parties have lodged FIR against each other out of political rivalry. Simple injuries are caused in alleged incident to the people from informant's side. Custodial interrogation of applicants in present case is, therefore, not required and their presence can be secured by directing them to attend concerned police station.

6. In the result, application is allowed.

7. In the event of arrest of applicant No.1 Sunil Rama Pagare, applicant No.2 Ranjit Motilal Bhil, applicant No.3 Vishal Pandit Bhil, applicant No.4 Ravindra Alias Rahul Pandit Bhil and applicant No.5 Pravin Pandit Bhil, in connection with Crime No.414/2023, registered with Parola Police Station, Jalgaon, for offences punishable under Sections 326, 452, 354, 324, 143, 147, 148, 149, 120-B, 294, 504, 506 of the Indian Penal Code and Sections 37(1) and 37(3) of the Maharashtra Police Act, 1951,

applicants be released on executing P.B. and S.B. of Rs.15,000/- each, with one surety in the like amount.

8. Applicants shall attend concerned police station from 18th January, 2024 to 25th January, 2024, everyday between 10:00 a.m. to 02:00 p.m. and shall co-operate in the investigation. Applicants shall not, in any manner, contact prosecution witnesses or indulge in any criminal activity.

(NITIN B. SURYAWANSHI, J.)