



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

ANTICIPATORY BAIL APPLICATION NO. 2058 OF 2023

UMESH SHALIK PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...
Mr. Vijay B. Patil, Advocate for Applicants
Mr. S.B. Jadhav, APP for Respondent – State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 07th FEBRUARY, 2024

PER COURT :

1. Applicants apprehend arrest in C.R. No.343/2023, registered with Bhadgaon Police Station, Jalgaon, for offence punishable under Sections 307, 323, 504, 506 r/w 34 of the Indian Penal Code.
2. Dinesh Lakhichand Pardeshi lodged the FIR alleging that Yogesh Kailas Patil, Umesh Shalik Patil and Bhaiya Shalik Patil assaulted him as he used to prevent sand theft done by accused persons. Yogesh assaulted with stick on his head and Umesh and Bhaiya assaulted him with fists and slaps on his nose and face.
3. Heard learned advocate for applicants and learned APP for the State. Perused the investigation papers.
4. Injury certificate of informant shows that he has suffered one contusion and lacerated wound on right front to

parietal region of 10 cm x 3 cm size, bone deep and contusion over base of nose is red and swelling, also nasal bleeding is present. Injury on the nose and face are attributed to applicants.

5. Report of investigating officer shows that applicants are accused in C.R. No.142/2017, registered for offence punishable under Sections 353, 379 r/w 34 of IPC, C.R. No.334/2020, registered for offences punishable under Sections 379, 186, 141, 142, 143, 149 and C.R. No.288/2021, registered for offence punishable under Section 379. Report further mentions that both the applicants are indulging in sand theft and after release on bail they are threatening and assaulting the people.

6. Considering the gravity of offence and injuries suffered by informant, active involvement of applicants in present crime is made out. They, therefore, do not deserve discretionary relief of anticipatory bail.

7. Application, is therefore, rejected. Interim protection granted to applicants stands vacated.

(NITIN B. SURYAWANSHI, J.)