



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

20 ANTICIPATORY BAIL APPLICATION NO. 1084 OF 2024

NAVNATH PANDHARINATH SHIVNE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Chormal Ajit B.
APP for Respondent/State : Mrs.Dipali S. Jape

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CORAM : **SHIVKUMAR DIGE, J.**

DATE : 12th August, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.0302 of 2024 registered with Karjat Police Station, Tq. Karjat, Dist. Ahmednagar, for the offences punishable under sections 326, 324, 506 of the Indian Penal Code (For short, "IPC").
2. It is the prosecution's case that informant had eloped with the daughter of the applicant and performed the marriage, hence the applicant had anger in his mind against the informant and he threatened to the informant that he will kill him. It is alleged that on 26th April, 2024, at around 8:30 a.m, when informant was sitting with his friends at Shivam Hotel, at that time, the applicant came there with sickle in his hand and without saying anything he assaulted the informant with sickle on his head and other parts of the body. It is alleged that witnesses Balasaheb and Vijay caught hold the applicant, hence the informant ran away from the incident spot.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case as informant is son-in-law of the applicant and he had married with the daughter of the applicant. The applicant has opposed the said marriage. Considering the allegations against the applicant, though the offence is serious one, his custodial interrogation is not required and request to allow the application. The learned counsel for applicant relied upon **Ravindra @ Vishwanath Pitambar Patil Vs. The State of Maharashtra in Anticipatory Bail Application No.911 of 2024 dated 24th July, 2024 and Bhadresh Bipinbhai Sheth Vs. State of Gujarat and another (2015 AIR(SC) 3090.**

4. It is the contention of the learned APP that the applicant assaulted the informant with sickle on his head and other parts of the body. The injury certificate of the informant shows that he has suffered grievous injuries. The learned APP further submitted that the statements of witnesses support the case of the informant. Custodial interrogation of the applicant is required to recover the sickle used in the crime and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and police papers produced on record.

6. The allegations against the applicant are that he assaulted the informant with sickle on his head and other parts of the body. The said incident is witnessed by two witnesses. The statements of these

witnesses support the case of the informant. The injury certificates show that the informant has suffered grievous injuries. Considering these facts, the custodial interrogation of the applicant is required. Yet the investigation is not completed. I have gone through the case laws cited by the learned counsel for the applicant. The facts of cited case and facts of the case in hand are different, hence not applicable and I pass the following order :-

ORDER

- (i) The application is rejected.

[SHIVKUMAR DIGE, J.]

sga