



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

910 ANTICIPATORY BAIL APPLICATION NO. 3 OF 2025

SUNDAR SHRIRANG PATIL

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. G. J. Kore
APP for Respondents-State: Mr. G. O. Wattamwar

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 3.1.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondents-State.

2] The applicant is apprehending arrest in connection with Crime No. 315 of 2024 dated 2.11.2024, registered at Murum Police Station, Tq. Omarga, Dist. Osmanabad for the offences punishable under sections 109, 115(2), 352, 351(2)(3), 3(5) of Bharatiya Nyaya Sanhita 2023.

3] The learned counsel for the applicant submits that the only role which is assigned to the applicant is that he called the informant and there was some altercation between the applicant and informant and that the two persons i.e. employees of the applicant had assaulted the victim/informant and that the applicant has not played role in the assault. The applicant stated that the allegation

against the applicant is that he has only given kick blows and has not assaulted to the victim with any deadly weapon.

4] Perusal of the FIR indicate that there has been some prior altercation between the applicant and the informant on account of some hotel bills to be paid. The informant called the applicant and questioned him about purchasing of material from some other shop. Thereafter, there was altercation between the applicant and informant and that the applicant in Kannada language (which is not known to the complainant) has stated something to the employees and they assaulted the informant. The applicant, thereafter, has also stated to the other co-accused that they should kill the informant.

5] Considering the same, this could not be a case for grant of an anticipatory bail. In this case custodial interrogation would be required and recovery of clothes as well as weapon used by other co-accused is to be made. The injury sustained on the vital part and made by sword by the employees of the applicant. *Prima facie*, the assault has taken place on direction of the applicant.

6] In view of the above, the application is dismissed.

[ARUN R. PEDNEKER, J.]