



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 30 OF 2025

Uttam Dadarao Garje
VERSUS
The State Of Maharashtra

- Mr. M. S. Bhosle, Advocate for the Applicant (VC)
- Mr. B. A. Shinde, APP for the Respondent/State

CORAM : R. M. JOSHI, J
DATE : JANUARY 23, 2025

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 214/2023 registered with Patoda Police Station, Dist. Beed for the offences punishable under Sections 307, 323, 324, 326, 143, 147, 148, 149, 504, 506 of the Indian Penal Code.

2. The gist of the first information report shows that an incident occurred on 24.09.2023 in which the Applicant and co-accused said to have assaulted informant with axe, iron rod, sticks etc. There is allegation against Applicant that he used axe to caused assault on the informant on his head.

3. Learned Counsel for the Applicant submits that

the first bail application was rejected when investigation was in progress and it was held that the custodial interrogation of the applicant is necessary. It is his submission that now charge-sheet is filed and there is already recovery of the weapon allegedly used by the Applicant in this crime. Thus, it is his submission that now custodial interrogation of the Applicant is not necessary. He further makes statement that Applicant has no criminal history.

4. Learned APP opposed the application on the ground of seriousness of the crime. It is his submission that offence under Section 307 of IPC is attracted against the Applicant as he has caused assault on the head of the Informant with axe and other accused assaulted him with other weapons. It is his submission that if Applicant is granted anticipatory bail, he is likely to commit similar offence.

5. The first pre-arrest bail of the Applicant was rejected on the ground that his custodial interrogation is necessary. At the relevant time investigation was in progress. Now admittedly investigation is complete. The charge-sheet indicates that axe is seized from the

Applicant. Thus, custodial interrogation of the Applicant is no more required. Applicant cannot be kept behind the bar by way of pre-trial sentence. Applicant has no criminal history and he is not likely to flee. Hence, application is allowed. Hence, the order:

O R D E R

- (i) In the event of arrest of the Applicant in connection with with C.R. No. 214/2023 registered with Patoda Police Station, Dist. Beed for the offences punishable under Sections 307, 323, 324, 326, 143, 147, 148, 149, 504, 506 of the Indian Penal Code, he shall be released on bail on furnishing PR bond of Rs. 15,000 (Rupees Fifteen Thousand Only) each with one surety in the like amount.
- (ii) He shall not contact the witnesses directly or indirectly.
- (iii) He shall not interfere with the evidence in any manner whatsoever.

(R. M. JOSHI, J.)