



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 ANTICIPATORY BAIL APPLICATION NO. 230 OF 2025

1. MANDABAI GOVIND DEVGUDE
2. PRIYANKA SAGAR DEVGUNDE

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicants : Adv. Anandmaya S. Dhorde
APP for Respondent/State: Ms. A. S. Mantri

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CORAM : ARUN R. PEDNEKER, J.

DATE : 20th FEBRUARY, 2025

PER COURT:

1. Heard learned counsel for the applicants and the learned
APP for the respondent-State.

2. The applicants are apprehending arrest in connection with
Crime No.401/2024, dated 28.08.2024, registered at Rahata Police
Station, District Ahmednagar, for the offences punishable under
Sections 307, 326, 324, 323, 504, 506 r/w. 34 of the Indian Penal
Code & Sections 3 and 25 of the Arms Act, 1959.

3. In the complaint it is stated that the applicants had caught
hold of the victim and the victim was assaulted by the other accused. The
injury caused is grievous in nature.

4. The learned counsel for the applicants submits that the offence would not be covered under Section 307 and that the informant cannot insist upon for inclusion of the particular section, so also, he submits that the informant had refused to sign the FIR as the particular offence is not included in the FIR and, thereafter, complaint was filed under Section 156(3) of CR.P.C. before the Magistrate and, even, the Magistrate has directed for registration of the crime under Sections 325 and 326 of the Indian Penal Code.

5. Considering the role of the applicants in holding the informant and helping the other co-accused to assault the informant, their role cannot be separated from the other accused at this stage due to active participation in the assault. The injury caused is serious.

6. Considering the same, no case is made out for grant on anticipatory bail.

7. The Anticipatory Bail Application stands dismissed.

[ARUN R. PEDNEKER, J.]

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