



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

37 ANTICIPATORY BAIL APPLICATION NO. 1329 OF 2024

1. Jumma @ Jamil Burhan Dargewale,
2. Ismail s/o Chandu Dargewale,
3. Shahrukh s/o Chotu Dargewale

VERSUS

The State Of Maharashtra.

...
Advocate for Applicant : Mr. Vishal Amritlal Bagdiya
APP for Respondents-State: Mr. R. S. Wani
...

CORAM : ARUN R. PEDNEKER, J.

Dated : January 02, 2025.

PER COURT :-

1. At the outset, the learned Counsel for the applicant seeks leave to withdraw the applicant in respect of applicant No.1 - Jumma @ Jamil Burhan Dargewale.
2. The application is dismissed in respect of applicant No.1/accused No.2 - Jumma @ Jamil Burhan Dargewale as withdrawn.
3. Heard learned counsel for the applicant and the learned APP for the respondent-State.
4. The applicant No.2/ accused No.18 and applicant No.3/accused No.19 are apprehending arrest in connection with FIR No.0400/2024, dated 13/06/2024, registered at Hingoli City Police Station, District Hingoli, for the offences punishable under sections 506, 452, 326, 324,

323, 307, 149, 148, 147, 143 of the Indian Penal Code and Section 4, 25 of the Arms Act.

5. Considering the role of applicant No. 2/accused No. 18, who is alleged to have assaulted Wasim Akbar Munniwale on the head, and noting that the medical evidence does not corroborate this allegation, as well as the role of applicant No.3 / accused No.19, who is alleged to have assaulted Mujib (uncle of informant) on the shoulder with an iron rod, which is similarly not supported by the medical certificate. The injuries are not serious in nature. Further, considering that cases have been filed between the two groups, applicant No.2/accused No.18 and applicant No. 3/accused No.19 are granted anticipatory bail.

6. In view of the above, the application is partly allowed in the following terms :

i] In the event the applicants No.2 and 3 are arrested in connection with FIR No.0400/2024, dated 13/06/2024, registered at Hingoli City Police Station, District Hingoli, for the offences punishable under sections 506, 452, 326, 324, 323, 307, 149, 148, 147, 143 of the Indian Penal Code and Section 4, 25 of the Arms Act, they shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicants No.2 and 3 shall attend the police station as and when called by the police.

iii] The applicants No.2 and 3 shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicants No.2 and 3 shall co-operate with the investigation and also in the proceedings before the trial Court.

7. In the event, the applicants No.2 and 3 violates any of the conditions specified in this order, it shall be liable to be cancelled.

8. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.