



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1644 OF 2024

1. Altaf @ Sonu Badesaheb Shaikh
2. Rashida s/o Bade Shab Shaikh

VERSUS

The State Of Maharashtra

- Mr. N. R. Thorat, Advocate for the Applicants
- Mr. S. B. Jadhav, APP for the Respondent/State

CORAM : R.M. JOSHI, J

DATE : JANUARY 07, 2025

PER COURT :

1. Applicants apprehend arrest in connection with with C.R. No. 289 OF 2024 registered with Paithan Police Station, Dist. Aurangabad for the offences punishable under Sections 352, 351(2), 333, 191(2), 191(1), 190, 189(2), 189(1), 119, 117(2), 115 of the Bharatiya Nyaya Sanhita.

2. The first informant claims that an incident has occurred on 22.07.2024 at around 09.30 pm wherein the Applicants and co-accused total 11 in number entered the house of the informant. They abused and assaulted informant. In the said incident, informant sustained fracture injury to his left little finger. It

is also alleged that accused persons snatched gold ornaments from person of the informant and others.

3. Learned Counsel for the Applicants submits that on the face of it lodging of report is by way of counter blast to the report lodged by sister of the Applicants. It is his submission that there is delay of 3 days in lodging of the report and owing to the previous dispute between the parties, possibility of false/over implication is not ruled out.

4. Learned APP opposed the application on the ground that the allegations in the FIR is supported by injury certificate indicating causing of fracture to left little finger.

5. From the FIR it can be seen that there are disputes between the parties. Applicant's sister lodged complaint against the informant and others. The incident in question has occurred allegedly on 22.07.2024 whereas the report is lodged on 25.07.2024. Thus, this Court find substance in the contention of the learned Counsel for Applicants that possibility of false/over implication is not ruled out. Even though

there is injury certificate indicating causing of fracture injury left little finger, nothing is to be recovered at the instance of Applicants.

6. In view of above discussion, application stands allowed by confirming interim order dated 03.10.2024.

(R.M. JOSHI, J.)