



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

916 ANTICIPATORY BAIL APPLICATION NO. 1674 OF 2024

Wilson Shrirang Umbare & anotherApplicants

VERSUS

The State of Maharashtra & anotherRespondents

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Mr. V. P. Savant, Advocate for Applicants.

Mrs. M. N. Ghanekar, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 24th JANUARY, 2025.

PER COURT :

1. Applicants apprehend arrest in connection with Crime No. 0237/2024 registered with Dharur Police Station, District Beed, for the offences punishable under Sections 310(2) and 311 of the Bharatiya Nyaya Sanhita.

2. First Information Report indicates that the incident had occurred at 27.08.2024 at 6.00 pm in which applicants and co-accused abused and assaulted informant. There is allegation that he was threatened and currency notes of Rs. 25,000/- were snatched from the shop.

3. Learned counsel for applicants submits that admittedly there are disputes between the parties and owing to the said disputes, possibility of false implication is not ruled out. It is also pointed out that the incident has allegedly occurred at 6.00 pm on 23.08.2024 whereas report is lodged at 9.20 pm on 24.08.2024.

4. Learned APP opposed the application.

5. Pre existing disputes between the parties create possibility of false implication though at the same time, possibility of commission of crime is also not ruled out. In this case, there are disputes over the property. There are no crimes registered against the applicants indicating that they are involved in crimes like theft, extortion etc. In such circumstances, delay of a day in lodging First Information Report becomes fatal at this stage. Applicants were granted relief on 08.10.2024. They cooperated in the investigation and there is no abuse of the liberty. Hence, application is allowed in terms of the interim order.

(R. M. JOSHI)
Judge