



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

920 ANTICIPATORY BAIL APPLICATION NO. 1760 OF 2024

1. SHIVAJI DADARAO DONGRE
2. ADITYA S/O. SHIVAJI DONGRE
3. ROHAN S/O SHIVAJI DONGRE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Shekade Shashikant E
APP for Respondents-State : Mr. B. B. Bhise

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 31.01.2025

P.C. :

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

2] The applicants are apprehending arrest in connection with Crime No.170 of 2024 dated 20.06.2024, registered at Police Station Peth Beed, District Beed, for the offences punishable under sections 307, 143, 147, 148, 149, 323, 504, 506 of Indian Penal Code, under Sections 3/25 and 4/25 of the Arms Act, 1959 and under Section 135 of the Maharashtra Police Act, 1951.

3] The learned counsel for the applicants submits that this Court while considering the bail application of Vishwas @ Popat Dadarao Dongre in ABA No. 1377 of 2024

at para No.3, observed as under :

“It was a quarrel in two groups. The incident happened in front of the house of the applicant. The applicant has a case that the other groups started assaulting his son. Hence, he with his family came out and in the fight, both sides were injured. The applicant went to save life of his son. Hence, he had to use the weapon. In fact, he has no intention to cause the injury. The other side was aggressive. Hence, to save the life of his family members, he had used the weapon. The other side has no reason to come to his residence and assaulted them. His bad past is old. However, the role attributed to him is to be considered. It appears from the record that three people came to his home and started assaulting. Therefore, to protect the actions of the assailants, he had also used the weapon. Considering the peculiar circumstances, the Court is of the view that his past would not come in the way. The weapons have been recovered from him. Nothing is to be recovered from him. The injured has been discharged. In the circumstances, he deserves bail on certain conditions. Hence, the following order :”

4] This Court has observed that the injury which is caused by Vishwas @ Popat Dadarao Dongre is serious one and this Court has granted bail to him.

5] The learned APP submits that, there are antecedents against the applicants.

6] Considering that the informant is aggressor party in the present crime and that that there is no serious

injury attributed to the informant, at the instance of the applicants, the applicants are granted anticipatory bail.

5] In view of the above, the application is allowed in the following terms :

i] In the event the applicants are arrested in connection with Crime No.170 of 2024 dated 20.06.2024, registered at Police Station Peth Beed, District Beed, for the offences punishable under sections 307, 143, 147, 148, 149, 323, 504, 506 of Indian Penal Code, under Sections 3/25 and 4/25 of the Arms Act, 1959 and under Section 135 of the Maharashtra Police Act, 1951, they shall be released on bail on furnishing PR bond of Rs. 20,000/- each, with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicants shall attend the concerned police station on 03.02.2025 and 04.02.2025 between 10.30 a.m. to 1.30 p.m. and as and when required by the Investigating Officer.

iii] The applicants 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 shall co-operate with the investigation and also in the proceedings before the trial Court.

8] In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

9] 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.

10] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

PRW