



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

931 CRIMINAL APPEAL NO. 1002 OF 2024

BAPU @ BAPUSAHEB DHONDIBA KUDNAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. Rajendra Laxmanrao Kute, Advocate for Appellants
Ms. Chaitali Chaudhari Kutti, APP for Respondent-State
Mr. D. K. Dagadkhedkar, Advocate for Respondent No.2

CORAM : Y. G. KHOBRAGADE, J.

DATE : 03.01.2025

PER COURT :-

1. Heard Mr. Rajendra L. Kute, the learned counsel appearing for the Appellants/accused, Ms. Chaitali Chaudhari Kutti, the learned APP for the State and Mr. D. K. Dagadkhedkar, for Respondent No.2 victim.

2. On 22.11.2024, this Court passed the reasoned order and released the appellants accused on ad-interim anticipatory bail. In order to avoid repetition of the facts of the case I would like to incorporate Para No.4 of the order dated 22.11.2024 which reads as under.

4. On perusal of record, it appears that on 24.07.2024 the informant/victim-Respondent No.2 lodged a oral report with the Police Station alleging that on 10.07.2024 at about 7.000 her husband and daughter had visited the grocery shop of Eknath Khamkar and while returning back to house

the Appellant No.1- Bapu @ Bapusaheb Dhondiba Kudnar. rushed to him and assaulted him with fists and blow and at the same time her daughter- Ashwini intervened to separate them, at that time the accused- Bapu pushed her due to which she fell down on the motorcycle, so also, the Appellant No.2- Sakharam Daru Kudnar abused her husband and daughter on caste. The grocery shop owner Eknath Khamkar also lodged a FIR on 11.07.2024 with Ghargaon Police Station and reported the incident occurred on 10.07.2024 at about 6.30 p.m. alleging that Santosh Salve the husband of the informant in FIR No.251/2024 had visited his grocery shop under the state of intoxication and had snatched eatable pocket of "Kurkure" and thrown the amount on his person. Therefore, (the informant) told the accused to give the amount of articles in proper manner but the accused caught hold of his collar and abused him in filthy language. On face of record, it appears that two FIRs have been registered for the one and the same incident.

3. On perusal of case diary it does not reveal that the custody of the present appellants accused are required for any interrogation purpose and no recovery of weapon required to be effected. Therefore, it would be just and proper to continue the interim order till the disposal of the trial on the same terms and conditions. Accordingly, the Appeal is disposed of.

[Y. G. KHOBRAGADE, J.]