



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

ANTICIPATORY BAIL APPLICATION NO. 402 OF 2018

Utkarsha s/o. Vishwas Ghule
and others

..Applicants

Vs.

The State of Maharashtra

..Respondent

Mr. K. D. Bade Patil, Advocate for applicants.

Mr. S. D. Ghayal, APP for respondent.

CORAM : SANGITRAO S. PATIL, J.

DATE : MAY 03, 2018

PER COURT

Leave to correct First Information Report
Number.

2. Issue notice to the respondent.

3. The learned APP waives service of notice on
behalf of the respondent.

4. The learned counsel for the applicants pointed out to the complaint application dated 22nd January, 2018 addressed by applicant No.2 to the Superintendent of Police, Ahmednagar and the First Information Report lodged by applicant No.2 against the present informant – Lakhan Kalokhe and others in respect of incident dated 16.01.2018, for the offences punishable under Sections 324, 323, 504, 506, 143, 147, 148, 149, 504, 506 of the Indian Penal Code. The learned counsel submits that in view of the certificate issued by the City Care Hospital, Ahmednagar in respect of the son of applicant No.2, offence under section 326 of the Indian Penal Code was subsequently added. The learned counsel for applicants submits that the present informant is insisting applicant No.2 to take back his F.I.R. and in order to do so, a false F.I.R. has been lodged against present applicants. He submits that

applicant Nos. 1 and 4 have to appear for Common Entrance Test Examination scheduled to be held on 6th and 10th May 2018 respectively. He submits that the applicants are innocent persons, and therefore, prays that the applicants may be granted the relief of pre-arrest bail.

5. Perused the papers annexed to the application. The accused No.2 has lodged F.I.R. against present informant namely Lakhan Kalokhe in respect of the incident dated 16th January, 2018 on the basis of which Crime No. 182 of 2018 has been registered against them for the above mentioned offences. He submits that due to previous rivalry, present F.I.R. has been filed against accused Nos. 1 and 4. They have to appear for Common Entrance Tests which are scheduled to be held on 6th and 10th May 2018 respectively. In the circumstances, I think fit to grant interim relief of pre-arrest bail to the applicants with certain conditions, with the

following order :-

ORDER

(A) In the event of arrest of the applicants in connection with Crime No. 182 of 2018 registered in Pathardi Police Station, Dist. Ahmednagar for the offences punishable under Sections 354, 324, 323, 504, 506, 143, 147, 148 read with Section 149 of the Indian Penal Code, they shall be released on their executing bail bonds in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with one surety each in the like amount, till the next date, on the following conditions :-

(i) that, the applicants shall make themselves available for the purpose of investigation as and when called upon by the Investigating Officer under a written intimation or under any permissible electronic mode of communication, until filing of the Charge Sheet.

- (ii) The applicants shall not tamper with the prosecution evidence in any manner.
- (C) Call the papers of investigation.
- (D) Liberty to move during vacation.

[**SANGITRAO S. PATIL, J.**]

rrd/907-ABA-402-18