

**ORDER BELOW EXH.1 IN CRI. BAIL APPLN. NO. 876/2022**

**( CNR No. MHDH010033172022 )**

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(1) This is an application filed by applicant/accused Nos. (1) Subhash Khandu Pawar, (2) Shobhabai Subhash Pawar, (3) Ashok Subhash Pawar and (4) Shital Ashok Pawar (hereinafter referred to as “applicants”) under Section 438 of the Code of Criminal Procedure, for anticipatory bail, in Crime No.163/2022, for the offence punishable under Sections 307, 323 r/w. 34 of the Indian Penal Code, registered with police station Thalner, Taluka Shirpur, District Dhule.

(2) Heard Shri. B.B. Waghmare, Advocate for applicants and Shri. S. J. Murkya, Addl.P.P. for State. Perused the application and say. I have gone through F.I.R., police-papers etc. On going through the same, it appears that the informant Ashwini Bhatu Pawar and the co-accused Bhatu Subhash Pawar are husband and wife. Co-accused Bhatu Pawar is the son of applicant Nos.1 and 2 and brother of applicant Nos.3 and 4. Bhatu Pawar is serving in Indian Army. There is matrimonial dispute in between the informant and the applicants especially with the co-accused Bhatu Subhash Pawar and therefore, the informant is living with her parents whereas the co-accused Bhatu Pawar is residing separately. On 22.09.2022 co-accused Bhatu Pawar was on leave. He came to village Manjrod, Taluka Shirpur. It is the allegation that on that day, the informant was called at village Manjrod. The co-accused Bhatu Pawar started quarreling with his wife and administered the phenyl. Because of administration of phenyl, the informant was facing troublesome. Therefore, the co-accused went to

Thalner police station, called the police and even he called the ambulance also.

(3) The allegations against the applicants are that they did not interfere in the quarrel of the informant and the co-accused Bhatu Pawar. The next allegation is that the applicants abetted the co-accused Bhatu. Thus, the allegations against the applicants are general in nature and not serious. Nothing is to recover from them. It also appears that because of the background of matrimonial dispute, the informant lodged the report. Considering the facts and circumstances of the case, I am of the view that the custodial interrogation of the applicants is not necessary. Apart from that, the applicants are residents of Dhule district. They are agriculturists. They have movable and immovable properties at village Manjrod, Taluka Shirpur. There is no antecedent against them. They have not been convicted in any cognizable offence. Therefore, I am of the view that the applicants are entitled for anticipatory bail. Hence, the following order :

### **ORDER**

- (1) Application is allowed.
- (2) In the event of arrest in connection with Crime No.163/2022 registered with Thalner police station for the offence punishable under Sections 307, 323 r/w.34 of the Indian Penal Code, the applicant Nos. (1) Subhash Khandu Pawar, (2) Shobhabai Subhash Pawar, (3) Ashok Subhash Pawar and (4) Shital Ashok Pawar be released on execution of their personal bonds in the sum of Rs.15,000/- each with one surety each in the like amount.

- (3) The applicants shall attend police station concerned as and when necessary and called by the Investigating Officer.
- (4) The applicants shall not tamper with the prosecution witnesses.
- (5) Concerned police station be informed accordingly.

Dhule.

Dated : 13.10.2022.

(R. H. Mohammad)  
Sessions Judge, Dhule.

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I certify that the contents of this PDF file are word to word as per the original order.

Name of Court : Sessions Court, Dhule.  
Name of Steno : I.S. Ansari.  
Date of uploading PDF file : 13.10.2022.

Sd/-  
[ I. S. Ansari ]