

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

CRIMINAL APPLICATION NO.4115 OF 2015

1. Hanumant @ Kaka Pandurang
Saykar, Age 30 years, Occu.Agri.,
2. Suresh @ Bhausahab Pandurang
Saykar, Age 28 years, Occu. Agri.,

Both R/o Khaidanwadi - Akhoni,
Taluka Karjat, Dist. Ahmednagar

..Applicants

Versus

- The State of Maharashtra,
Through Police Station Officer,
Karjat Police Station,
District Ahmednagar

..Respondent

Mr N.V. Gaware, Advocate for applicants
Mr S.G. Nandedkar, A.P.P. for respondent
Mr N.R. Thorat, Advocate assisting the A.P.P.

CORAM : N.W. SAMBRE, J.

DATE : 25th August 2015

PER COURT

Heard.

2. The prosecution case in brief is that an offence punishable under Sections 307, 143, 147, 148, 149, 326, 324, 323, 504, 506 of the Indian Penal Code and under Section 37 (1) (3)/135 of the Bombay Police Act vide Crime No.I-106/2015 is registered against the applicants and there is recovery of knife at the behest of applicant No.1, which corresponds with the injury certificate. Learned Assistant Public Prosecutor submits that there are statements of eye witnesses.

3. Learned Counsel Mr Thorat has moved an application for assisting the prosecution, which is granted. He submits that there is danger to the life of the applicants, as the accused persons are residing adjoining to their house. Even if the incident is occurred at

the place of applicants, however, the complainant was called for settlement of the dispute which pertains to removal of wood adjoining the common well.

4. There does not appear to be criminal history in the present matter. It appears that recovery of knife at the behest of applicant No.1 corresponds with the injury certificate. Prima facie, it is required to be noted that the case of the complainant was that they were to discuss about the matter of removal of wood adjoining the common well and then differences arose. In view thereof, it will be appropriate in my opinion to release the applicants on regular bail. I proceed to pass the following order :

(I) The applicants Hanumant @ Kaka Pandurang Saykar and Suresh @ Bhausahab Pandurang Saykar be released on bail, in connection with the Crime No.I-106/2015 for the offence punishable under Sections 307, 143, 147, 148, 149, 326, 324, 323, 504, 506 of the Indian Penal Code and under Section 37 (1) (3)/135 of the Bombay Police Act, upon furnishing P.R. Bond of Rs.15,000/- with one surety by each of them.

(II) The applicants shall keep themselves away from Taluka Karjat, District Ahmednagar till the decision of trial case.

5. Criminal Application is allowed in above terms.

(N.W. SAMBRE, J.)

vvr