

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram, Court's or Judge's orders.
--	--	--

CRIMINAL APPLICATION NO. 45 OF 2015

SHRI AMRISH S/O DATTATRAYA RASANE
 VERSUS
 THE STATE OF MAHARASHTRA

...
 Advocate for Applicant : Mr. Sapkal V. D.
 APP for Respondent: Mr. M. A. Deshpande.

CORAM: T. V. NALAWADE, J.
DATED: 16th JANUARY, 2015.

PER COURT:

1. The application is filed for anticipatory bail. Heard both sides. This Court has perused the papers.
2. The crime is registered on the basis of report given by Police Head Constable Jambhulkar. The incident in question took place on 15th September, 2014. After 07.30 p.m. police got information that some persons had intercepted a truck bearing No.MH-21-G-7206 and there was material like cattle flesh and bones and fat of cattle and they were creating law and order situation and so police went there. The driver of the truck viz.

Aref and Cleaner Sajid were present and they were detained by the mob. Names of 24 persons are mentioned. It is contended that 250 to 300 persons gathered and they wanted that the truck should not be handed over to police. They wanted to finish the driver and the cleaner and threatened that they will keep their flesh and bones in the truck. They virtually dragged the cleaner and driver and they were beating them when the police intervened. The driver and cleaner were then present in the cabin. The mob set fire to the cabin to kill them. Police brought the situation under control and then the report was given.

3. There are statements of the members of the police staff showing names of the members of the mob and name of the applicant is given. In supplementary statement of the complainant also the name of the applicant is given. The crime is registered for offence punishable under section 307, 149 of I.P.C. and also under other provision like section 353 etc. of I.P.C.

4. Such incidents are increasing and some persons are acting against a particular community. This conduct cannot be tolerated in this country. Nobody can be allowed to take law in their hands and they need to obey

the orders given by police. Attempt on the life of the aforesaid two persons was made by the mob and present applicant was present in the mob. No lenient view can be taken. He needs to be arrested and thorough custodial interrogation needs to be made to ascertain the real object and to ascertain the persons who were behind this act of the mob. Otherwise the leaders will escape.

5. In the result, the application stands rejected.

[T. V. NALAWADE, J.]

Dt.16/01/2015
ans/45