

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

Criminal Application No. 535 of 2015

The State of Maharashtra,
Through : Police Station Officer,
Rural Police Station, Parbhani,
Taluka & District : Parbhani.

.. Applicant
(Original complainant)

versus

1. Namdeo Baburao Kaldate,
Age : 36 years,
Occupation : Agriculture.
2. Achut Baburao Kaldate,
Age : 57 years,
Occupation : Agriculture.
3. Digambar Apparao Kaldate,
Age : 60 years,
Occupation : Agriculture.
4. Subhash Govindrao Aglave,
Age : 42 years,
Occupation : Service and
Agriculture,
R/o. Sadguru Nagar, Parbhani.
5. Dnyaneshwar Vishwanath Kaldate,
Age : 22 years,
Occupation : Agriculture.
6. Bhagwan Nivruti Kaldate,
Age : 55 years,
Occupation : Agriculture.
7. Baliram Baburao Kaldate,
Age : 35 years,
Occupation : Agriculture.

8. Raju Sudam Dhage,
Age : 24 years,
Occupation : Agriculture.
9. Govind Nivrutti Kaldade,
Age : 50 years,
Occupation : Agriculture.
10. Dagdu Bhimrao Kaldade,
Age : 36 years,
Occupation : Agriculture.
11. Janardhan Nivrutti Kaldade,
Age : 33 years,
Occupation : Agriculture.

All R/o. Brahmangaon,
except accused no.4,
Taluka & District : Parbhani.

.. Respondents
(Original accused)

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*Mrs. P.J. Bharad, Additional Public Prosecutor, for
the applicant - State.*

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**CORAM : S.S. SHINDE &
A.M. BADAR, JJ.**

DATE : 6TH FEBRUARY 2015

PER COURT :

1. Heard learned APP Mrs. P.J. Bharad for the applicant - State.
2. Perused the findings recorded by the trial court.

3. *Prima facie*, it appears that evidence of the prosecution witnesses has not been properly appreciated by the trial court. A case is established for admission of appeal.

4. Accordingly, the Application is allowed in terms of prayer clauses “A”, “B”, “C” and “F”. The Application stands disposed of.

5. Appeal **Admit**.

6. Action under Section 390 of the Code of Criminal Procedure, 1973, to follow before Sessions Judge, Parbhani.

(A.M. BADAR)
JUDGE

(S.S. SHINDE)
JUDGE

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