

**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. |
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**CRIMINAL APPLICATION NO.: 1160 OF 2015**

ANGAD S/O TULSIRAM WALKER & ORS

**VERSUS**

THE STATE OF MAHARASHTRA

**WITH**

**APPLN/967/2015**

MANISH S/O NILKANTHRAO BHARATE

**VERSUS**

THE STATE OF MAHARASHTRA

**WITH**

**APPLN/1159/2015**

AMOL S/O BHAGWAT GAVALI & ORS

**VERSUS**

THE STATE OF MAHARASHTRA

**WITH**

**APPLN/1167/2015**

ATUL CHANDAR CHOUDHARI & ORS

**VERSUS**

THE STATE OF MAHARASHTRA

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Advocate for the Applicants: Mr. S. S. Thombre/ Mr. K. J. Suryawanshi.

APP for the Respondent: Mr. A. V. Deshmukh.

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**CORAM: T. V. NALAWADE, J.**

**DATED: 10th MARCH, 2015.**

**PER COURT:**

1. The first two Applications are filed for bail in C.R.No.17 of 2015 registered in Washi Police Station, District Osmanabad for offence punishable under sections 307, 149 etc. of I.P.C. and section 3 (1) (x) of SC and ST (Prevention of Atrocities) Act. Criminal Application No.1167 of 2015 is filed for relief of anticipatory bail in C.R. No.18 of 2015 registered in the same police station for offence punishable under section 397 I.P.C. and section 3 (1)(x) of SC & ST (Prevention of Atrocities) Act. The last application is filed for bail in C.R. No.18 of 2015 registered in the same police station for aforesaid offence.

2. Both the sides are heard.

3. This Court has perused the papers of investigation.

4. In C.R. No.17 of 2015, allegations are made against the Applicants in respect of incident dated 28th January, 2015 at about 05.30 p.m. near main Chowk of Para village the applicants and others picked up quarrel with the complainant on the ground that the complainant had put some uncomfortable questions in Gram Sabha dated 28th January, 2015 and he had given report to police. Allegations are made that Angad poured petrol on the person of complainant and tried to set fire and

others rushed and rescued him. Allegations are made against Manish that he used empty beer bottle and gave blow on head of Dattatrya and gave blow of knife. Allegations are made that Manish gave blow of beer bottle on the head of the complainant and caused injuries. The wife of the brother of complainant had tried to intervene but she was pushed aside and she sustained injury to her wrist and she lost her Mangalsutra.

5. In C.R. No.18 of 2015 allegations are made that on 28th January, 2015 the quarrel started and during quarrel the persons of the applicant side gathered there and some had come in Indica Car. Allegations are made that they assaulted the persons from complainant side by using stick and axe. Allegations are made that gold chain weighing 1-1/2 Tola was taken away by applicant Prashant and applicant Kailash took cash amount of Rs.4,000/-. Subsequently, allegations are made that abuses were given by taking name of the caste. So, the crime for the aforesaid offence also came to be registered.

6. Applicant No.2 from proceeding No.1167 of 2015 is a lady and there are no specific allegations against her

about giving of abhuses by taking name of caste etc. and not much part is attributed to her. In view of this, this Court holds that protection needs to be given to her. In the result, her application is allowed. However, considering the role played by Applicant Atul Chaudhair and Mahesh Khole, no such protection can be given to them. Further, the Crime is registered for section 3 (1) (x) of SC and ST (Prevention of Atrocities) Act and also under section 307 and 397 of I.P.C. and so their custodial interrogation is necessary. So, their application is rejected.

7. The other applicants have come to this Court for bail. The fact that there was quarrel and fighting between two groups at the relevant time and they had made the allegations against other side and things are exaggerated. The applicants are behind bars from January, 2015. They must have now learnt lesson. This Court holds that they needs to be released on bail.

8. Criminal Application Nos. 1160 of 2015, 967 of 2015 and 1159 of 2015 are allowed. The Applicants from these applications are to be released on bail on their furnishing P.R. and S.B. of Rs.15,000/- by each of them. They are not to tamper with the prosecution

witnesses. They are not to commit similar offence. The applicants, accused like Angad Walke and Manish Bharate are to attend the concerned police station on every Sunday for a period of one month between 09.00 a.m. and 12.00 p.m. and they are to cooperate the police during investigation.

9. Similarly, the applicant Amol Gavali to attend concerned [police station for one month on every Sunday between 09.00 a.m. and 12.00 p.m. and cooperate the police during investigation.

**[T. V. NALAWADE, J.]**

Dt.10/03/2015  
ans/1160