

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

CRIMINAL APPLICATION NO. 1282 OF 2015

Manik Yadav Irkar

.... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. R.R.Karpe, Advocate for Applicant.

Mrs. V.A.Shinde, A.P.P. for Respondent – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 24th MARCH, 2015

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PER COURT :

1. This is an application for bail in connection with Crime No. 124/2014 registered with Karjat police station, Dist. Ahmednagar for the offences punishable u/s 307, 326, 325, 143, 147, 148, 149, 324, 452, 504 and 506 of the Indian Penal Code and u/s 37 (1) (3)/135 of Bombay Police Act and Section 4/25 of Arms Act.

2. Heard Mr. R.R.Karpe, the learned counsel for the applicant and Mrs. V.A.Shinde, the learned A.P.P. for Respondent – State.

3. In the incidence dated 18/05/2014, two First Information Reports are filed at police station Karjat. They are Crime No. 124/2014 and Crime No. 125/2014. Crime No. 124/2014 is lodged by Nana Bapu, in which the present applicant is made as an accused. Crime No. 125/2014 is lodged by Maruti Zinje in which the first informant in Crime No. 124/2014 is an accused.

4. It is brought to my notice that the learned trial Court has already released on bail the first informant Nana Bapu.

5. While considering the bail application in the light of the submissions of the learned counsel for the applicant that his false implication can not be ruled out, this Court has considered the aspect of F.I.R. No. 88/2009 registered with police station Karjat, which was filed against Nana Bapu for the offence u/s 376 of the Indian Penal Code, in which the present applicant was one of the witnesses. Thus, it is clear that the false implication of the present applicant is not completely ruled out. Further, the incident has taken, it appears, in spur of moment from both the sides, resulting into the registration of two offences. Further, All other accused persons in crime No. 124/2014 are already released on bail by the Court below. In that view of the matter, the present Criminal Application needs to be allowed.

6. Hence, I pass the following order.

- (i) The present Criminal Application is hereby allowed.
- (ii) The applicant Manik S/o Yadav Irakar be released on bail in connection with Crime No. 124/2014 registered with Karjat police station, Dist. Ahmednagar for the offences punishable u/s 307, 326, 325, 143, 147, 148, 149, 324, 452, 504 and 506 of the Indian Penal Code and u/s 37 (1) (3)/135 of Bombay Police Act and Section 4/25 of Arms Act on he executing P.R. Bond of Rs. 5,000/- [Rupees Five Thousand] with one solvent surety of like amount. Bail before the trial Court.
- (iii) The applicant shall attend police station Karjat once in a week preferably on every Sunday between 10.00 a.m. and 12.00 noon till the Charge sheet is filed.
- (iv) With these observations, present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]