

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.  
BENCH AT AURANGABAD.  
Criminal Appellate Jurisdiction.**

**Criminal Application No. 1603 Of 2015.**

DATTA @ DATTATRAY S/O RAM BHOSALE & ORS.  
**VERSUS**  
THE STATE OF MAHARASHTRA.

**Appearance       =>**

Mr. S.K. Doke Advocate for the Applicants.

Mr. U.H. Bhogale, Additional Public Prosecutor for the State of Maharashtra.

**CORAM                :        V.M. Deshpande, J.**

**DATE                    :        15<sup>th</sup> April, 2015.**

**Per Court :-**

Present Criminal Application is filed by the Applicants for grant of regular bail, in connection with CR No. 6/2015 registered with Police Station, Ambhi, Taluka – Bhoom, District – Osmanabad for the offences punishable under Section.s. 395, 363 of the Indian Penal Code and under Section 3 read with 25 of the Arms Act, 1959.

[2]                Heard Mr. S.K. Doke, learned counsel for the Applicants and Mr. U.H. Bhogale, learned Additional Public Prosecutor for the State.

[3]                At the outset, Mr. S.K. Doke, learned counsel for the Applicants seeks permission to withdraw present Application filed on behalf of Applicant No.2 – Somnath Ram Bhosale. Permission is granted. Criminal Application filed by Somnath Ram Bhosale is dismissed, as withdrawn.

[4] After hearing the learned counsel for the applicant – Datta and the learned Additional Public Prosecutor for the State, it is clear that, in the First Information Report specific allegations are made against the applicant – Datta that he has put revolver on the forehead of the first informant. The learned Additional Public Prosecutor submitted on the basis of investigation papers that Applicant No.1 – Datta was in police custody remand and during the P.C.R. nothing is recovered; much less revolver is not recovered from him. In that view of the matter, Applicant – Datta can be released on bail, in view of the fact that investigation is on the verge of completion. Hence, I pass the following order :-

### **ORDER**

- (i) Criminal Application is partly allowed.
- (ii) Criminal Application filed by Applicant No.2 - Somnath Ram Bhosale is dismissed, as withdrawn, with liberty to him to file bail Application afresh before the trial court, after filing of the charge-sheet.
- (iii) Applicant - DATTA @ DATTATRAY S/O RAM BHOSALE shall be released on regular bail on he executing P.R. Bond of Rs.15,000/- [Rs. Fifteen Thousand.] with one solvent surety in the like amount, in connection with CR No. 6/2015, registered with Police Station, Ambhi, Taluka – Bhoom, District – Osmanabad for the offences punishable under Section.s. 395, 363 of the Indian Penal Code and under Section 3 read with 25 of the Arms Act, 1959.

(iv) Applicant - DATTA @ DATTATRAY S/O RAM BHOSALE shall attend the Police Station, Ambhi, Taluka – Bhoom, District – Osmanabad once in a week, preferably on every Sunday, between 10.00 a.m. to 12.00 Noon, till Charge-Sheet is filed.

(v) Bail before trial court.

**(V.M. DESHPANDE, J.)**