

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

CRIMINAL APPLICATION NO.1834 OF 2015.

Bhimrao Tukaram Wankhede & Ors.

Versus

The State of Maharashtra.

Appearance =>

Mr. P.S. Paranjape, Advocate for the Applicants.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 28th April, 2015.

Per Court :-

Present Criminal Application is filed by the Applicants for grant of anticipatory bail, in connection with CR No. 16/2015 registered with Police Station, Tadkalas, District – Parbhani for the offences punishable under Section.s. 395, 143, 147, 148, 150, 323, 504, 506 of the Indian Penal Code and under Section 135 of Bombay Police Act.

[2] Heard Mr. P.S. Paranjape, learned counsel for the Applicants and Mrs. Pratibha Bharad, learned Additional Public Prosecutor for the State.

[3] On the day of incident, there was “Holi” Festival and it appears that two groups had made quarrel on trifle issue, on the said day; resulting into filing of two first information reports. CR NO.15/15 is lodged by Subhash Tukaram Wankhede, who is brother of present Applicants; Where-as CR NO.16/15 is registered against the present Applicants and First Informant of CR NO.15/15.

[4] After perusal of first information report - CR NO.16/15, it is clear that there are no allegations what so ever against Applicant No.2 – Uttram. In so far as Applicant No.1 - Bhimrao Tukaram Wankhede is concerned allegation is that he has assaulted the first informant and Ramu by means of iron ghan (big hammer). Injury Certificate of first informant, Ravi Deshmukh and Ramu Deshmukh does not corroborate the said version. Further in so far as snatching of ornament is concerned those allegations are against Subhash, who is already released on bail by the learned trial court.

[5] In that view of the matter, present application needs to be allowed. Hence, I pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) In the event of arrest, Applicant No.1 - Bhimrao Tukaram Wankhede and Applicant No.2 – Uttam Tukaram Wankhede shall be released on anticipatory bail on they executing P.R. Bond of Rs.5,000/- [Rs. Five Thousand.] each with one solvent surety in the like amount, in connection with CR No. 16/2015 registered with Police Station, Tadkalas, District – Parbhani for the offences punishable under Section.s. 395, 143, 147, 148, 150, 323, 504, 506 of the Indian Penal Code and under Section 135 of Bombay Police Act.

(iii) With this Criminal Application is allowed and same is disposed of.

(V.M. DESHPANDE, J.)