

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

CRIMINAL APPLICATION NO. 2137 OF 2015.

MADAN S/O RAMRAO GHADAGE & ORS.
VERSUS
THE STATE OF MAHARASHTRA.

Appearance =>

Mr. Nitin Gaware, h/for Mr. G. J. Karne, Advocate and Mr. Kalyan Kolhe, Advocate for the Applicants.

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

CORAM : V.M. Deshpande, J.

DATE : 5th May, 2015.

Per Court :-

Present Criminal Application is filed by Applicant Nos. 1 to 4 for grant of anticipatory bail, since they are apprehending their arrest in connection with CR No. 18/2015 registered with Police Station, Chkalamba, Taluka – Georai, District - Beed for the offences punishable under Section.s. 307, 147, 148 of the Indian Penal Code.

[2] At the outset, Mr. Nitin Gaware, learned counsel upon instructions from his client seeks permission to withdraw the Application for Applicant No.2 – Suresh Sheshrao Londhe.

Present Criminal Application filed by Applicant No.2 – Suresh Sheshrao Londhe is dismissed as withdrawn.

[3] I have heard Mr. Nitin Gaware, learned counsel for the Applicant Nos. 1,3 and 4 and Mrs. Pratibha Bharad, learned Additional Public Prosecutor for the State.

[4] First Information Report is lodged by Uddhav Ranganath Raskar, who is Sarpanch of Gram-Panchayat, Kolgaon, Tal. Georai, District – Beed. Dispute has occurred on 26th February, 2015 when Mr. D.N. Sanpap, Naib Tahasildar of Shirur and other employees reached to the village for inspection of ration shop of Rajendra Kadam. According to the First Information Report, that time, present Applicants were insisting that statements of card holders should be recorded then and then only, inspite of visiting the ration shop.

[5] There are four injured persons namely Uddhav Ranganath Raskar, Ramesh Suryabhan Jagdale, Rajendra Avinash Londhe and Onkar Raskar.

[6] Mrs. Pratibha Bharad, learned Additional Public Prosecutor has placed before this court injury certificates. In so far as Rajendra is concerned, there is no injury. There is no injury certificate in respect of Onkar. Injuries sustained by Ramesh are simple in nature. In so far as first informant is concerned, though injuries are simple in nature; however, it appears that those are caused on occipital region.

[7] Further assertion is made in the First Information Report that, Suresh Londhe has made assault on his head by means of stick. In that view of the matter, Applicant Nos. 1,3 and 5 can be granted anticipatory bail, since their custodial presence is not at all necessary. That leads me to pass the following order :-

ORDER

- (i) Criminal Application is partly allowed.
- (ii) Criminal Application filed by Applicant No.2 – Suresh Sheshrao Londhe is dismissed as withdrawn.
- (iii) In the event of arrest, Applicant No.1 – Madan Ramrao Ghadage, Applicant No.3 – Bibhishan Sheshrao Londhe and Applicant No.4 – Ramdas Suryabhan Karande shall be released on anticipatory bail on they executing P.R. Bond of Rs. 10,000/- [Rs. Ten Thousand.] each with one solvent surety in the like amount, in connection with CR No. 18/2015 registered with Police Station, Chkalamba, Taluka – Georai, District - Beed for the offences punishable under Section.s. 307, 147, 148 of the Indian Penal Code.
- (iv) Applicant No.1 – Madan Ramrao Ghadage, Applicant No.3 – Bibhishan Sheshrao Londhe and Applicant No.4 – Ramdas Suryabhan Karande shall attend Police Station, Chkalamba, Taluka – Georai, District - Beed once in a week, preferably on every Sunday and shall remain present in said Police Station between 10.00 a.m. to 12.00 Noon, till charge sheet is filed.
- (v) With this Criminal Application is partly allowed and same is disposed of accordingly.

(V.M. DESHPANDE, J.)