

**IN THE HIGH COURT AT BOMBAY  
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2175 OF 2015

Prakash s/o. Honaji Gajbhiv and Anr. ....**Applicants.**

**Versus**

The State of Maharashtra and Anr. ....**Respondents.**

Mr. S.B. Talekar, Advocate for applicants.

Mrs. R.K. Ladda, APP for State.

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

**DATED : 29th April, 2015.**

**ORDER :**

1. The application is filed for bail. Both the sides are heard. Copies of various orders made by this Court, Sessions Court and Hon'ble Apex Court are produced. In the past, Criminal Application No. 598/2015 filed for bail was rejected by this Court as there was possession decree which was very old and the applicants were preventing the execution of decree.

2. The learned counsel for the applicants took this Court through the record created by the Officers of Court and it shows that the possession of the property was handed over to the decree holder on 13.3.2015. Copy of panchanama to that effect is produced. The applicants are behind bars since last

more than 100 days as per the submission made by the learned counsel for the applicants. This Court is making order even when the learned APP submitted that she could not get the information as ordered by this Court in order dated 24.4.2015. In view of the statements of the learned counsel for the applicants and aforesaid record, this Court holds that relief needs to be granted to the applicants. The crime is registered for offence punishable under section 353 r/w. 34 of I.P.C.

3. In the result, application is allowed. The applicants are to be released on bail on their furnishing PR and SB of Rs. 15,000/- (Rupees fifteen thousand) by each of them. They are not to tamper with the prosecution witnesses. They are not to commit similar offence.

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

SSC/