

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

CRIMINAL APPLICATION NO. 2260 OF 2015.

GORAKH S/O MAHADEO BOMBLAT & ORS.
VERSUS
THE STATE OF MAHARASHTRA

Appearance =>

Mr. Anant R. Devakate, Advocate for the Applicants.

Mrs. V.A. Shinde, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 7th May, 2015.

Per Court :-

Present Criminal Application is filed by the Applicants for grant of regular bail, in connection with CR No.36/2015 registered with Police Station, Paranda, District – Osmanabad for the offences punishable under Section.s. 143, 147, 148, 149, 307, 506, 504 of the Indian Penal Code.

[2] Heard Mr. Anant R. Devakate, learned counsel for the Applicants and Mrs. V.A. Shinde, Additional Public Prosecutor for the State of Maharashtra.

[3] First Information Report is lodged by one Sadanand Gautam Bomblat on 23rd March, 2015. First Information Report shows that, when the first informant had been to the agricultural field bearing Gat No.295 of village Shirala that time, present Applicants alongwith other co-accused assaulted Sadanand and his relative Kalidas Jagtap and Angad Jagtap.

From the First Information Report, specific overt act is made against Applicant No.1 – Gorakh Mahadeo Bomblat. In so far as other Applicants are concerned, general statement is made.

In so far as Gorakh Mahadeo Bomblat is concerned, according to the First Information Report, Sadanand was assaulted by Gorakh on his head by means of iron bar. It is also stated in the First Information Report that, Laxman has given sickle blow on the head of Sadanand.

[4] Injury Certificate of Sadanand shows that, he sustained contusion lacerated wound on frontal region of scalp. According to the Doctor, said injury is caused due to sharp object necessarily deducible by sickle.

[5] In so far as injuries sustained by Kalidas Jagtap and Angad Jagtap are concerned, there are no allegations against any of the Applicants that they have caused injury to them.

[6] In that view of the matter, the Applicants, who are languishing in the jail since 23rd March, 2015 are required to be released; since their further custodial presence is not at all necessary. Hence, I pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) Applicant No.1 – Gorakh Mahadeo Bomblat, Applicant No.2 – Macchindra Mahadeo Bomblat, Applicant No.3 – Baliram Kondiba Moblat and Applicant No.4 – Somanath Mahadeo Bomblat shall be released on regular 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.36/2015 registered with Police Station, Paranda, District – Osmanabad for the offences punishable under Section.s. 143, 147, 148, 149, 307, 506, 504 of the Indian Penal Code.

(iii) The Applicants shall attend the Police Station, Paranda, District – Osmanabad once in a week, preferably on every Saturday and shall remain present in the said Police Station between 3.00 p.m. to 4.00 p.m, till charge sheet is filed.

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

(V.M. DESHPANDE, J.)