

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

CRIMINAL APPLICATION NO. 2713 OF 2015.

ARUN S/O LAXMANBUWA GIRI
VERSUS
THE STATE OF MAHARASHTRA

Appearance =>

Mr. V.D. Salunke, Advocate for the Applicant.

Mrs. S.G. Chincholkar, Additional Public Prosecutor for the State of Maharashtra.

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

DATE : **30th June, 2015.**

Per Court :-

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No.47/2015 registered with Police Station, Bori, District - Parbhani for the offences punishable under Section/s 302, 307, 326, 325, 324, 323, 447, 143, 147, 148, 149 of the Indian Penal Code and under Section 135 of the Bombay Police Act.

[2] Heard Mr. V.D. Salunke, learned counsel for the Applicant and Mrs. S.G. Chincholkar, Additional Public Prosecutor for the State of Maharashtra.

[3] After hearing Mrs. S.G. Chincholkar, learned Additional Public Prosecutor, it is crystal clear that, two groups were having

dispute in respect of ownership of the agricultural land bearing Gat No.565 of village – Kausadi, Taluka – Jintur, District – Parbhani.

[4] Though the charge-sheet is not filed, from the investigation papers, it is clear that, entire investigation is over and the formality of filing of the charge-sheet is remained to be done.

[5] Mrs. S.G. Chincholkar, learned Additional Public Prosecutor has fairly stated that except the fact that, present Applicant has given some instigation, no other role is ascribed against the present Applicant. Even order passed by the Extra Joint Ad.Hoc Additional Sessions Judge, Parbhani in Cri.M.A.No.309/2015 dated 14th May, 2015, by which the application for bail was rejected by the trial court also shows that only role against the present Applicant was of instigation. The Applicant is in jail since 24th April, 2015.

[6] Looking to the fact that no overtact is attributed against the present Applicant, Applicant can be released on bail by imposing certain conditions. That leads me to pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) Applicant - ARUN S/O LAXMANBUWA GIRI shall be released on regular bail on he executing P.R. Bond of Rs. 25,000/- [Rs. Twenty Five Thousand] with two solvent sureties in the like amount, in connection with CR No.

47/2015 registered with Police Station, Bori, District - Parbhani for the offences punishable under Section/s 302, 307, 326, 325, 324, 323, 447, 143, 147, 148, 149 of the Indian Penal Code and under Section 135 of the Bombay Police Act.

(iii) Bail before trial court.

(iv) The Applicant shall attend Police Station, Bori, District – Parbhani twice in a week preferably on every Sunday and Tuesday and shall remain present in the said Police Station between 3.00 p.m. to 5.00 p.m., till charge sheet is filed.

(v) After charge-sheet is filed, the Applicant shall attend the said Police Station once in fortnight between 3.00 p.m. to 5.00 p.m., once in a week, preferably on every Sunday, till trial is over.

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

(V.M. DESHPANDE, J.)