

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2862 OF 2015

Sayed Shakeel Sayed Akheel,
Age : 32 years, Occu. Agri.,
R/o Mali Galli, Parbhani,
Tq. and District Parbhani

APPLICANT

VERSUS

The State of Maharashtra,
through the Police Inspector
Rural Police Station,
Parbhani, Tq. Parbhani,
District Parbhani

RESPONDENT

Mr. V.D. Salunke, Advocate for the applicant
Mrs. B.B. Gunjal, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.

DATE : 02/07/2015

ORAL ORDER :

1. Heard both sides.
2. The present applicant, who is arrested by Parbhani Rural Police Station, District Parbhani in Crime No. 104/2014, registered for the offences punishable under section 302 read with section 34 of I.P. Code and under section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)

Act, 1989, is praying for his release on bail.

3. The applicant's earlier application bearing Criminal Application No. 6210/2014 was allowed to be withdrawn by me vide order dated 28th November, 2014 with a direction to the learned Sessions Judge to expedite the hearing in the Sessions Case.

4. The report of the learned Sessions Judge would show that number of under-trial prisoners are being tried and in the present case, even the property involved in the offence could not be collected by the Investigating Officer for want of chemical analyzer's report and therefore, the trial could not begin.

5. Mr. V.D. Salunke, learned counsel for the applicant points towards the order dated 30th March, 2015 passed by the another learned Judge of this Court in Criminal Application No. 968/2015, vide which the co-accused, namely, Dnyaneshwar Chavan was directed to be released on bail.

6. Learned A.P.P. opposed the application.

7. Upon hearing both sides and on going through the material on record, it is found that similar allegations like those are made against co-accused Dnyaneshwar, are made against the present applicant. The case is of alleged beating by sticks by both these accused.

8. Taking into consideration the fact that the applicant is behind the bars since 15th June, 2014, in my view, he also can be released on bail. Hence, the following order :-

9. Applicant - Sayed Shakeel Sayed Akheel be released on bail in connection with Crime No. 104/2014, registered with Parbhani Rural Police Station, District Parbhani, for the offences punishable under section 302 read with section 34 of the I.P. Code and under section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, on his executing P.R. Bond in the sum of Rs. 10,000/- (Rupees Ten Thousand), with two solvent sureties in the like amount.

. The applicant shall attend Parbhani Rural

Police Station, District Parbhani twice in a week preferably on every Sunday and Wednesday between 11.00 a.m. to 11.00 a.m., till the charge is framed by the learned Sessions Judge.

. The present application is accordingly allowed and disposed of.

[M.T. JOSHI]
JUDGE

npj/criapln2862-2015