

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 3062 OF 2015

Pradip @ Bablu s/o Trimbakrao Munde **APPLICANT**

V E R S U S

The State of Maharashtra **RESPONDENT**

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Mr. V.R.Dhorde, Advocate for Applicant.

Mr. U.S.Mote, A.P.P. for Resp. – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 1st JULY, 2015

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PER COURT :

1. This is an application for grant of anticipatory bail since the applicant is apprehending his arrest in connection with Crime No. 87/2013 registered with Ambajogai police station, Dist. Beed for the offences punishable u/s 307,120-B,147,148,149 of the Indian Penal Code.

2. Heard Mr. V.R.Dhorde, learned counsel for the applicant and Mr.U.S.Mote, learned A.P.P. for respondent – State.

3. Initially offence was registered only u/s 307 read with 34 of the Indian Penal Code and subsequently Sections 147,148,149 and 120-B of the Indian penal Code are added.

4. F.I.R. is lodged on 23/06/2013 in respect of the incident dated 22/06/2013. F.I.R. is lodged by Suresh Uttamrao Nanwate, who is friend of injured Mahesh @ Munna Rangnath Bagwale.

5. F.I.R. discloses that when the injured and the first informant had been to the garage known as “ Kadam garage ”, that time four unknown persons made murderous assault on Mahesh, due to which he has suffered injuries.

6. Four unknown assailants were subsequently apprehended. After their arrest, the weapons were seized at their behest. It is reported that those four unknown assailants are already released on bail by the trial Court, is the statement made by the learned counsel for the applicant. Statement is accepted.

7. From the statement of injured and from his supplementary statement, it is clear that the injured was knowing the present applicant. First informant has not taken the name of present applicant as one of the assailants. According to the statement of the injured, there was dispute in between him and the present applicant on account of cricket match about one year ago to the present incident. According to the first informant, therefore, he has suspicion that the present applicant is the person behind the present incident.

8. Presently the question is of custody. The assailants are already arrested. From them all the weapons

are already seized. Further, according to the injured himself, cause for the alleged attack at the behest of the applicant was occurred one year ago to the present incident. In that view of the matter, custody of the present applicant is not essential.

9. Hence, I pass the following order :

- (i) Present Criminal Application is hereby allowed.
- (ii) In the event of arrest in connection with Crime No. 87/2013 registered with Ambajogai police station, Dist. Beed for the offences punishable u/s 307,120-B,147, 148,149 of the Indian Penal Code, applicant Pradip @ Bablu s/o Trimbakrao Munde be released on anticipatory bail on he executing P.R. Bond of Rs. 10,000/- [Rupees Ten Thousand] with one solvent surety of like amount.
- (iii) Present applicant shall not cause prejudice to the prosecution case.
- (iv) Present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]