

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3147 OF 2015**[Balu @ Balasaheb s/o Bhikaji Kolpe and another Vs The State of Maharashtra]**

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or
directions and
Registrar's orders

Court's or Judge's orders

Shri V.D.Salunke, advocate for applicants
Shri U.S.Mote, A.P.P. for respondent

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CORAM : V.M.DESHPANDE, J.**DATED : 10th July, 2015****PER COURT :-**

1] This is an application for anticipatory bail. The applicants are apprehending their arrest in connection with Crime No. 32 of 2015, registered at Wadwani police station, District Beed, for the offences punishable under Sections 307, 147, 148, 149, 323, 504, 506 of the Indian Penal Code.

2] Heard Shri V.D.Salunke, learned counsel for applicants and Shri U.S.Mote, learned Additional Public Prosecutor for the respondent/State.

3] The first information report is lodged by Ashok Kolape, who is injured. From the first information report, it is clear that the first informant and Someshwar Pandit More are having their agricultural lands adjacent to each other. The dispute in respect of measurement and the area of the said agricultural land was going on in between them.

According to the first information report, on 9.5.2015, when the first informant was working in his agricultural field, that time Someshwar Pandit More, Chakradhar Someshwar More along with the applicants and accused Ahsok Bhikaji Kolape came near him and picked up a quarrel. In that

quarrel, it is alleged that the Someshwar gave axe blow on his head, whereas Chakradhar gave iron rod blow on his head. It is alleged, that time applicant no.1 Balu gave stick blow on his hand; whereas applicant no.2 Dnyanoba assaulted him on his both legs by means of chain. The allegation against other accused Ashok was that he gave kick and fist blows.

4] Learned Additional Public Prosecutor has made available to me the injury certificates. Looking to the nature of injuries and looking to the fact that more dangerous weapons are already seized from the co-accused who were under arrest and looking to the fact that the investigation is almost over, the applicants can be protected by exercising discretion in their favour. That leads me to pass following order.

ORDER

- (i) Criminal Application is allowed.
- (ii) Applicants No.1-Balu @ Balasaheb s/o Bhikaji Kolpe and No.2-Dnyaneshwar s/o Bhikaji Kolpe, in the event of their arrest, be released on anticipatory bail, in connection with Crime No. 32 of 2015, registered at Wadwani police station, District Beed, for the offences punishable under Sections 307, 147, 148, 149, 323, 504, 506 of the Indian Penal Code, on they each executing P.R. bond of Rs.10,000/- with one solvent suretuy in the like amount by each of them.
- (iii) Applicants No.1-Balu @ Balasaheb and No.2-Dnyaneshwar shall attend police station Wadwani, District Beed twice a week, preferably on every Saturday and Thursday in between 3.00 p.m. to 5.00 p.m. till charge sheet is filed.

(iv) After filing of the charge sheet, the applicant nos. 1 and 2 shall attend the concerned police station once in a fortnight, preferably on every Thursday in between 3.00 p.m. to 5.00 p.m. till charge is framed.

(v) Application is disposed of.

(V.M.DESHPANDE, J.)

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