

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

CRIMINAL APPLICATION NO. 3752 OF 2015

Sudam s/o Baban Pawar & Ors.

.... **APPLICANTS**

V E R S U S

The State of Maharashtra

.... **RESPONDENT**

.....

Mr. R.N.Dhorde, Senior Counsel i/b

Mr. V.S.Kadam, Advocate for Applicants.

Mr. V.H.Dighe, A.P.P. for Resp. – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 31st JULY, 2015

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PER COURT :

1. This is an application for grant of anticipatory bail since the applicants are apprehending their arrest in connection with Crime No. 166/2015 registered with Parner police station, District Ahmednagar for the offences punishable u/s 143,147,148,149,324,323,504,506 of the Indian Penal Code and u/s 4 and 25 of the Indian Arms Act.

2. Heard Mr. R.N.Dhorde, learned Senior Counsel instructed by Mr. V.S.Kadam, learned counsel for the applicants and Mr. V.H.Dighe, learned A.P.P. for respondent – State.

3. Admittedly, in the F.I.R., names of the present applicants were not appearing. Their names are appearing after 3 days when the statement of injured is recorded. It is to be noted that the persons who were named in the F.I.R. were already arrested on 12/05/2015 and weapons are recovered from them, is the statement made by the learned A.P.P.

4. Looking to the fact that the names of the present applicants are cropping in the prosecution case after lapse of 3 days and the weapons are already seized, custodial presence of the applicants is not required. That leads me to pass the following order.

- (i) Present Criminal Application is hereby allowed.
- (ii) In the event of arrest in connection with Crime No. 166/2015 registered with Parner police station, District Ahmednagar for the offences punishable u/s 143,147,148,149,324,323,504,506 of the Indian Penal Code and u/s 4 and 25 of the Indian Arms Act, applicant No. 1 Sudam s/o Baban Pawar, applicant No. 2 Arun Suresh Pawar and applicant No. 3 Shivaji @ Kaluram Kisan Kanichhe be released on anticipatory bail on they executing P.R. Bond of Rs. 5,000/- [Rupees Five Thousand] with one solvent surety of like

amount by each of them.

- (iii) Applicant No. 1 Sudam s/o Baban Pawar, applicant No. 2 Arun Suresh Pawar and applicant No. 3 Shivaji @ Kaluram Kisan Kanichhe shall attend Parner police station once in a week preferably on every Sunday between 3.00 – 5.00 p.m. till the charge sheet is filed in the Court of law.
- (iv) With these observations, Present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]