

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

CRIMINAL APPLICATION NO. 3981 OF 2015.

MAHESH S/O MADHUKAR GAIKWAD & OTHERS.

VERSUS

THE STATE OF MAHARASHTRA.

Appearance =>

Mr. Sachin S.Panale, Advocate for the Applicants.

Mr. A.S. Shinde, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 12th August, 2015.

Per Court :-

Present Criminal Application is filed by the Applicants for grant of anticipatory bail, since they are apprehending their arrest in connection with CR No.137/2015 registered with Police Station, Latur (Rural), District – Latur for the offences punishable under Section/s. 307, 143, 147, 148, 149, 323, 324, 504, 506 of the Indian Penal Code.

[2] Heard Mr. Sachin S.Panale, learned counsel for the Applicants and Mr. A.S. Shinde, learned Additional Public Prosecutor for the State of Maharashtra.

[3] According to the First Information Report, first informant Krushna Rajendra Kamble, his uncle Gajendra Babu Kamble, sister –

Priyanka and cousin Vikky were assaulted by the accused persons including the present Applicant by means of stump.

[4] Injury certificates of four persons are available in the investigation papers which show that injuries are simple in nature. Further, in the First Information Report no specific role is attributed against the present Applicant. Further during the course of investigation, weapon – cricket stumps are already seized by the police machinery.

[5] In view of the said fact and looking to the aspect that no specific role is ascribed against the present Applicant and injuries are simple in nature, custodial presence of the present Applicants is not required. That leads me to pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) In the event of arrest, Applicant No.1 – Mahesh Madhukar Gaikwad and Applicant No.2 – Venkatesh Chandrakant Markande shall be released on anticipatory bail on they executing P.R. Bond of Rs. 5,000/- [Rs. Five Thousand.] each with one solvent surety in the like amount, in connection with CR No.137/2015 registered with Police Station, Latur (Rural), District – Latur for the offences punishable under Section/s. 307, 143, 147, 148, 149, 323, 324, 504, 506 of the Indian Penal Code.

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

(V.M. DESHPANDE, J.)