

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

**CRIMINAL APPLICATION NO. 4086 OF 2015**

1. Viru s/o Kishor Jedhe,  
Age: 38 years, Occ: Service as Sweeper,  
R/o. Jedhe Colony, Sangamner,  
Tq. Sangamner, Dist. Ahmednagar.
2. Kundan s/o Jagdish Jedhe,  
Age: 36 years, Occ: Service as Sweeper,  
R/o. Jedhe Colony, Sangamner,  
Tq. Sangamner, Dist. Ahmednagar. ...Applicants

versus

The State of Maharashtra,  
Police Station Officer,  
Sangamner Taluka Police Station,  
Sangamner, Dist. Ahmednagar. ...Respondent

.....  
Mr. N.B. Suryawanshi, Advocate for applicants  
Mrs. B.B. Gunjal, A.P.P. for respondent  
.....

**CORAM : N.W. SAMBRE, J.**

DATE : 28th AUGUST, 2015

**ORAL ORDER :**

The applicants herein are the accused in Crime No. 153 of 2015 registered with Sangamner Taluka Police Station for the offence punishable under Sections 307, 323, 143, 147, 148, 149 of the Indian Penal Code and under Section 37(1) (3) of the Bombay Police Act.

2. The case of the prosecution is that the applicants herein

have attacked one Arjun with iron rods, sticks, stones and fist blows with an intention to kill him, which has resulted into registration of offence.

3. The applicants herein were arrested in crime in question on 05/07/2015.

4. So far as both the applicants are concerned, role attributed to them, upon perusal of the F.I.R. and statement of the eye witnesses and that of injured reflects that the applicants used stick for assaulting the injured. So far as applicant Viru is concerned, his name is not referred to in statement given by the injured attributing any particular role to him.

5. The perusal of investigation papers reflects that there were three eye witnesses to the incident in question, of which statement of two eye witnesses are recorded. It is noticed that there are sweeping allegations made against the accused persons.

6. In view of the investigation that is brought on record, it is apparent that the custodial interrogation is no more required. In view thereof, it will be appropriate, in my opinion, to order the release of the applicants on bail. Hence, I pass the following order.

The applicants be released on bail, on furnishing P.R. bond of Rs.10,000/- (Rs. Ten thousand) by each of the applicant, with one surety in connection with Crime No. 153 of 2015 registered with Sangamner Taluka Police Station, Sangamner for the offence punishable under Sections 307, 323, 143, 147, 148, 149 of the Indian Penal Code and under Section 37(1)(3) of the Bombay Police Act. The applicants shall not enter the jurisdiction of the concerned police station till filing of the charge sheet.

7. The application is allowed to above extent.

**[ N.W. SAMBRE, J. ]**