

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

CRIMINAL APPLICATION NO.4327 OF 2015

Ravindra s/o Raju Beldar,
Age: 24 years, Occ: Agri.,
R/o. Tirpole, Tq. Chalisgaon,
District Jalgaon.

...Applicant

versus

The State of Maharashtra

...Respondent

.....
Mr. N.S. Ghanekar, Advocate for applicant
Mrs. M.D. Deshpande, A.P.P. for respondent
.....

WITH

CRIMINAL APPLICATION NO.4365 OF 2015

Machindra Zumbar Tirmali,
Age: 23 years, Occ: Labour work,
R/o. Tirpole, Tq. Chalisgaon,
District Jalgaon.

...Applicant

versus

The State of Maharashtra

...Respondent

.....
Mr. K.P. Chaware, Advocate for applicant
Mrs. M.D. Deshpande, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 31st AUGUST, 2015

ORAL ORDER :

Heard.

2. By way of present applications, the applicants seek regular bail in Crime No.29 of 2015 registered with Mehunbare Police Station, Taluka Chalisgaon, District Jalgaon for the offence punishable under Sections 302, 143, 146, 147, 148, 149, 324, 323, 504, 506 of the Indian Penal Code read with Section 3(2)(5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act alongwith Section 37(1)(3), 137 of the Bombay Police Act.

3. The applicants appear to be member of unlawful assembly resulting in crime in question.

4. The crime in question came to be registered pursuant to F.I.R. lodged by Ankush, whose brother Lahu died in the said incident.

5. So far as the complainant Ankush is concerned, in F.I.R. so also other statements, there is mention about presence of applicants, who have assaulted the complainant with iron rods resulting in registration of crime in question.

6. The statement recorded under Section 164 of Code of Criminal Procedure reflects the role that was attributed to the applicants was causing simple hurt with iron rods.

7. In the back ground of above, the injuries sustained by Ankush, which are noticed are as under.

- (1) Contusion at middle of back region size 06 cm x 01 cm.
- (2) Blunt injury at paranmbilical region of abdomen.

8. If the role attributed i.e. participation of the present applicants in crime in question by iron rods and injuries caused to the complainant are noticed, in my opinion, the applicants who were detained for the incident dated 02/05/2015 are entitled to release on bail. It is also required to be taken note of the fact that there is counter complaint by the accused persons against group of the complainant in the present case.

9. Be that as it may, in view of above and nature of the injuries suffered pursuant to the act attributed to the present applicants, in my opinion, after completion of the investigation, they are entitled for grant of bail.

10. The applicants be released on bail, upon furnishing P.R. bond of Rs.15,000/- (Rs. Fifteen thousand) by each of the applicant with one surety in the like amount in connection with Crime No.29 of

2015 registered with Mehunbare Police Station, Taluka Chalisgaon, District Jalgaon for the offence punishable under Sections 302, 143, 146, 147, 148, 149, 324, 323, 504, 506 of the Indian Penal Code read with Section 3(2)(5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act alongwith Section 37(1)(3), 137 of the Bombay Police Act.

11. Both the Criminal Applications stand allowed in above terms.

[N.W. SAMBRE, J.]