

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

CRIMINAL APPLICATION NO.4377 OF 2015

1. Ankush s/o Bansi Shelke,
Age 45 years, Occu. Agri.,
2. Kailash Bhimrao Shelke,
Age 35 years, Occu.Agri.,
3. Rajesh s/o Rambhau Shelke,
Age 26 years, Occu. Agri.,
4. Sham s/o Ankush Shelke,
Age 19 years, Occu. Education

All r/o Rani Unchegaon,
Taluka Gansawangi,
District Jalna

.. Applicants

Versus

- The State of Maharashtra,
through Police Inspector,
Police Station, Ambad,
District Jalna

.. Respondent

Mr M.M. Mulla, Advocate for applicants
Mrs B.B. Gunjal, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 28th August 2015

PER COURT

Heard.

2. All these applicants are seeking regular bail in Crime No.154/2015 registered with Ambad Police Station, Taluka Ambad, District Jalna for offences punishable under Sections 307, 323, 324, 504, 506, 354 read with Section 34 of the Indian Penal Code pursuant to an incident dated 18th July 2015.

3. The case of the prosecution is that the complainant and his cousin and other relatives were assaulted by the accused persons resulting into the registration of the crime.

4. The accusations in the F.I.R. against the applicants appear to be not serious and they are behind the bar since 21st July 2015.

5. One more aspect of which this Court must take note is that there is delay of two days in lodging the F.I.R. and there is another offence registered bearing No.158/2015 at the behest of accused Sham against the complainant.

6. Serious allegations are made against Sham in F.I.R. that he has used the knife in commission of the crime. However, it is noticed that Murlidhar suffered simple injury, as mentioned in discharge card and so far as Dadarao is concerned, he has also suffered simple injury. In view thereof, the applicant Sham also deserves to be released on bail.

6. In view of above and in view of delay caused in lodging the F.I.R., nature of injury caused to Murlidhar and Dadarao and since the accused are behind the bar since last about a month, it will be appropriate, in my opinion, to order release of the applicants.

7. As such, Criminal Application stands allowed. The applicants Ankush Bansi Shelke, Kailash Bhimrao Shelke, Rajesh Rambhau Shelke and Sham Ankush Shelke be released on bail in connection with Crime No.154/2015 registered at Ambad Police Station, District Jalna, for the offences punishable under Sections 307, 323, 324, 504, 506, 354 read

with Section 34 of the Indian Penal Code, upon furnishing P.R. Bond of Rs.10,000/- with one surety in the like amount, by each of them.

(N.W. SAMBRE, J.)

vvr