

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

CRIMINAL APPLICATION NO. 4415 OF 2015

1. Ram s/o Pandhari Gavle,
Age: 38 years, Occ: Business,
R/o. Gut No. 48, Plot No., 49,
Bajaj Nagar, Shri Sai Samarth Nagar,
Wadgaon Kolathi,
Tq. & Dist. Aurangabad.

2. Bhagwat s/o Vithal Gavle,
Age: 48 years, Occ: Business,
R/o. Gut No. 48, Plot No. 49,
Bajaj Nagar, Shri Sai Smarth Nagar,
Wadgaon Kolathi.

...Applicants

versus

The State of Maharashtra,
Through P.I. MIDC Waluj Police Station,
District Aurangabad.

...Respondent

.....
Mr. Milind M. Joshi, Advocate for applicants
Mrs. B.B. Gunjal, A.P.P. for respondent/State
.....

CORAM : N.W. SAMBRE, J.

DATE : 3rd SEPTEMBER, 2015

ORAL ORDER :

The applicants were arrested on 03/08/2015 in Crime No. 210 of 2015, registered with M.I.D.C. Waluj Police Station, District Aurangabad, for the offence punishable under Sections 285, 308, 338 of the Indian Penal Code.

2. The complainant Imran, claimed to be employee of the

applicants and was engaged in rewinding work of various electrical gadgets. In the said process, the complainant was working with the present applicants for almost three three years and was knowing about use of hardened material which was inflammable goods.

3. On the day of the incident, the complainant noticed hardening material lying in a pot, of which usable was removed by him upon instructions of the applicants and unusable material was thrown by him in flames, which resulted into a blast causing of injury to the complainant. As such, present applicants were arrested and are behind the bars since 03/08/2015.

4. So far as the custodial interrogation of the present applicants is concerned, looking to the accusation against them, in my opinion, the same is no more required, apart from the fact that they are behind the bars since 03/08/2015. Looking to the accusation, it can, prima facie, be inferred that it was not intention of the applicants to commit the crime in question.

5. In view thereof, it will be appropriate, in my opinion, to order the release of the applicants on bail. Hence, I propose to pass the following order.

6. The applicants be released on bail, on 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. 210 of 2015 registered with M.I.D.C. Waluj Police Station, District Aurangabad for the offence punishable under Sections 285, 308 and 338 of the Indian Penal Code.

7. Criminal Application stands allowed in above terms.

[N.W. SAMBRE, J.]