

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.4111 OF 2015

Narayan s/o Lahanappa Paratkar
and ors.

..APPLICANTS

VERSUS

The State of Maharashtra

..RESPONDENT

Mr C.R. Thorat, Advocate for applicants;
Mr S.R. Palnitkar, A.P.P. for respondent

WITH
CRIMINAL APPLICATION NO.4684 OF 2015

Vaibhav s/o Dnyanoba Gaikwad

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr M.B. Sandanshiv, Advocate for applicant;
Mr S.R. Palnitkar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 2nd September, 2015

ORAL ORDER :

In both the matters, the Investigating Officer has conducted investigation and intends to forward papers for verification to the concerned Committee.

2. The applicants are accused in C.R. No.I-413 of 2015, registered with police station, Mukundwadi, Dist. Aurangabad, for offences punishable under sections 302, 143, 147 and 149 of the Indian Penal Code, upon a complaint lodged by one Lata Muley, alleging death of her husband Nikam @ Bhalchandra Muley, upon assault made by them.

3. Perusal of the accusation in the first information report depicts that the applicants have assaulted Bhalchandra with fist blows. The cause of death mentioned in the certificate appears to be "cause of shock and haemorrhage due to rupture of mesenteric artery, following blunt trauma to abdomen."

4. From the allegations made in the first information report, *prima facie*, it appears that the intention of the applicants was not to commit offence punishable under section 302 of the Indian Penal Code.

5. In view of above facts and as the investigation is complete, in my opinion, it will be appropriate to order release of the present applicants on bail. Hence, following order :-

Criminal Applications stand allowed.

The applicants in Criminal Application No.4111 of 2015, namely, (1) Narayan s/o Lahanappa Paratkar, (2) Bhimashankar s/o Vishnu Korde, (3)

Digambar s/o Sahadeo Vairal, (4) Vijay s/o Shivaji Vaidya and Gorakhnath @ Ajay Punamchand Adhe and applicant in Criminal Application No.4684 of 2015, namely, Vaibhav s/o Dnyanoba Gaikwad, be released on bail, on each of them furnishing P.R. Bond of Rs.10,000/- with one surety for like amount, on condition that they shall keep themselves away from the jurisdiction of the concerned police station, till filing of the charge-sheet.

(N.W. SAMBRE, J.)

amj