

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

CRIMINAL APPLICATION NO.5011 OF 2015

1. Ganpat Jawala Gaykwad,
2. Gulab @ Suli @ Bhaurao Chawan
3. Dnyaneshwar Bhaskar Bhill

All R/o Vichkheda, Taluka Parola,
District Jalgaon

..Applicants

Versus

- The State of Maharashtra,
through Police Station Officer,
Parola Police Station, Parola,
District Jalgaon

..Respondent

Mr N.B. Suryawanshi, Advocate for applicants

Mr S.M. Ganachari, A.P.P. for respondent

Mr A.D. Pawar, A.P.P. for complainant - assisting the A.P.P.

CORAM : N.W. SAMBRE, J.

DATE : 13th October 2015

PER COURT

Heard.

2. This is an application under Section 439 of the Cr.P.C. for grant of regular bail. The applicants were booked in Crime No.132/2015 pursuant to a complaint dated 1st September 2015 for an incident of 29th August 2015 for offences punishable under Sections 326, 436, 143, 147, 148, 149, 323, 504, 506 of Indian Penal Code.

3. The applicants are behind the bars since their date of arrest i.e. 1st September 2015.

4. While making out the case for grant of regular bail, Mr Suryawanshi has invited attention of this Court to the contents of first information report resulting into registration of Crime No.133/2015 against the complainant and his group members for which the complainant and other group members were already released on pre-arrest bail.

5. So far as role attributed to the applicants is concerned, the applicants are in Magisterial custody. So far as the applicant No.1 – Ganpat Gayakwad is concerned, he is serving in Agricultural Produce Market Committee at Parola and as such, he will have to attend his duties. So far as applicants No.2 and 3 are concerned, allegations against them are that they gave kicks and fists blows. It is not in dispute that the other accused are already released on bail. In my opinion, having regard to the nature of offence and particularly, medical report has not produced on record, it will be appropriate to grant pre-arrest bail to the applicants. Hence, I proceed to pass the following order.

(I) The applicants herein be released on bail in connection with Crime No.132/2015 pursuant to a complaint dated 1st September 2015 for an incident of 29th August 2015 for offences punishable under Sections 326, 436, 143, 147, 148, 149, 323, 504, 506 of Indian Penal Code, upon furnishing P.R. Bond of Rs.10,000/- (Rs. Ten thousand) along with one surety by each of them;

(II) The applicant No.1 Ganpat Jawala Gaykwad shall attend the office of Agricultural Produce Market Committee at Parola and shall keep himself away from jurisdiction of Parola taluka, but for his employment purpose. The rest of the applicants i.e. applicants No.2 and 3 shall keep themselves away from the jurisdiction of Parola taluka till filing of the charge-sheet.

6. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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