

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

CRIMINAL APPLICATION NO. 5398 OF 2015

Sandip s/o Chhangan Rathod,
Age: 30 years, Occ: Agri.,
R/o. Akani, Tq. Mantha,
Dist. Jalna.

...Applicant

versus

The State of Maharashtra,
Through the Officer incharge of
Mantha Police Station,
Dist. Jalna.

...Respondent

.....
Mr. B.R. Kedar, Advocate for applicant
Mr. N.T. Bhagat, A.P.P. for respondent/State
.....

CORAM : N.W. SAMBRE, J.

DATE : 15th OCTOBER, 2015

ORAL ORDER :

The applicant is seeking pre-arrest bail in connection with Crime No. 78/2015 registered on 27/07/2015 at Mantha Police Station, District Jalna for the offence punishable under Sections 302, 307, 323, 504, 506 read with Section 34 of the Indian Penal Code, pursuant to the incident dated 24/07/2015.

2. The prosecution story is that the applicant is not named in the first information report, however, other witness who was present on the spot, namely, Narayan has identified the applicant, to have involved in the crime in question.

3. Upon perusal of the contents of the first information report would reflect that the allegation against the applicant is only in respect of giving abuses and fist and kick blows. There is one more ground which is raised in the application that the said witness, namely, Narayan has unsuccessfully contested the election against the uncle of applicant, as such, false implication of the applicant in the crime in question cannot be ruled out.

4. In view thereof, it will be appropriate to order the release of the applicant on bail. Hence, I proceed to pass the following order.

(a) In the event of arrest, the applicant be released on bail, upon furnishing P.R. bond of Rs.15,000/- (Rs. Fifteen thousand) with one surety in the like amount, in connection with Crime No. 78/2015 registered on 27/07/2015 at Mantha Police Station, District Jalna for the offence punishable under Sections 302, 307, 323, 504, 506 read with Section 34 of the Indian Penal Code

(b) The applicant shall not enter the jurisdiction of the concerned police station till filing of the charge sheet except for attending the police station for the present proceedings.

(c) The applicant shall attend the concerned Police Station, for three days between 10-00 to 11-00 a.m.

5. Criminal Application is allowed in above terms.

[N.W. SAMBRE, J.]