

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

CRIMINAL APPLICATION NO.5669 OF 2015

1. Dadasaheb Waman Pawar,
Age 65 years, Occu. Agri.,
R/o Bawi, Taluka Jamkhed,
District Ahmednagar
 2. Dattatraya Waman Pawar,
Age 45 years, Occu. Agri.,
R/o as above
 3. Dadasaheb Shankar Pawar,
Age 37 years, Occu. Agri.,
R/o as above
- ..Applicants

Versus

- .
- State of Maharashtra,
through Police Station Officer,
Jamkhed Police Station,
Jamkhed, Dist. Ahmednagar
- ..Respondent

Mr S.S. Bora, Advocate for applicants
Mr A.P. Baraskar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 28th October 2015

PER COURT

Heard.

2. The applicants are seeking regular bail in Crime No.I-143/2015 registered on 14th September 2015 at Jamkhed Police Station, District Ahmednagar for offences punishable under Sections 302, 307, 3224, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code.
3. The accusations against the applicants are, they have used sticks, iron rod in the crime in question.

4. According to learned Counsel for the applicants, death of deceased Abhimanyu is caused due to cardio-respiratory arrest. Apart from above, he would urge that the offence under Section 307 is registered against the applicant in the background of outcome of elections of Gram Panchayat and differences arose therein.

5. Learned A.P.P. while strenuously opposing the application would urge that the use of the weapons either alleged against the applicants is established pursuant to the injury certificate of the victims in crime though because of death of Abhimanyu cannot be attributed to the applicants.

6. Perusal of the investigation papers depicts that the custodial interrogation of the applicants is no more required, as prima facie they cannot be attributed any role for death of Abhimanyu.

7. So far as the offence under Section 307 of Indian Penal Code is concerned, the nature of injuries as is apparent from the investigation papers prima facie appears to be simple, as the patients were referred to Ahmednagar hospital, the investigation papers do not reflect any major injuries to the victims.

8. In view thereof, in my opinion, it will be appropriate to grant bail to the applicants. Hence, I proceed to pass the following order.

9. The applicants be released in Crime No.I-143/2015 registered on 14th September 2015 at Jamkhed Police Station, District Ahmednagar for offences punishable under Sections 302, 307, 3224, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code, upon furnishing P.R. Bond of Rs.15,000/- (Rs.Fifteen thousand) with one surety, by each of them.

10. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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