

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

CRIMINAL APPLICATION NO. 5645 OF 2015

Ashok Krushnaji Aghav,
Age: 52 years, Occu: Business,
R/o. Old Dhule,
Tq. & Dist. Dhule.

...Applicant

versus

The State of Maharashtra,
Through Azhadnagar Police Station,
Tq. & Dist. Dhule.

...Respondent

**WITH
CRIMINAL APPLICATION NO. 5891 OF 2015**

Ravindra @ Gaddya Krushnaji Aghav,
Age: 44 years, Occu: Business,
R/o. Old Dhule,
Tq. & Dist. Dhule.

...Applicant

versus

The State of Maharashtra,
Through Azhadnagar Police Station,
Tq. & Dist. Dhule.

...Respondent

.....
Mr. A.S. Sawant, Advocate for applicants
Mr. N.T. Bhagat, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 30th OCTOBER, 2015

ORAL ORDER :

In both these applications, the applicants are seeking regular bail in Crime No. 145/2015 registered at Azhadnagar Police Station, District Dhule for the offence punishable under Sections 307,

143, 147, 148, 149, 452, 324, 427, 325, 504, 506 of the Indian Penal Code, under Section 4/25 of the Arms Act, under Section 7 of the Criminal Law Amendment Act, and under Section 37(1) (3) read with Section 135 of the Bombay Police Act.

2. According to the applicants, they are falsely implicated in the crime in question in view of the fact that against complainant Bhushan Chandrakant Sonar, Crime No. 144/2015 was registered at the behest of Ravindra. Learned Counsel for the applicants would urge that custodial interrogation of the applicants is already over and in view of settlement of the matter in between the applicants and the complainant, there is hardly any chances of breach of law and order and prayed for releasing the applicants on bail.

3. Learned A.P.P. has opposed the applications on the ground that there are sufficient reasons narrated by the Sessions Court for rejecting regular bail. According to him, even though parties have settled the issue in between them, however, as per law, same has to be termed as the offence against society and prayed for rejection of the bail.

4. The factual matrix as narrated herein above is not in dispute as regards registration of offence bearing Crime Nos. 144/2015 and 145/2015 against the applicants and complainant.

5. The applicants were arrested on 10/08/2015 and since then they are behind bars. There appears to be political colour to the present crime as the wife of one of the applicant and father of the complainant were elected as Councillor and there appears to be political rivalry. In this background, false implication cannot be ruled out. The custodial interrogation is already over. Investigation Officer has already filed report under Section 169 of Criminal Procedure Code against few accused and others are already released on bail.

6. In view of above, the applicants are entitled to be released on bail. Hence, I pass following order :

The applicants be released on bail, upon executing P.R. bond of Rs.50,000/- (Rs. Fifty thousand) with one surety in the like amount, by each of them, in Crime No. 145/2015 registered at Azhadnagar Police Station, District Dhule for the offence punishable under Sections 307, 143, 147, 148, 149, 452, 324, 427, 325, 504, 506 of the Indian Penal Code, under Section 4/25 of the Arms Act, under Section 7 of the Criminal Law Amendment Act, and under Section 37(1) (3) read with Section 135 of the Bombay Police Act.

7. The applications are allowed in above terms.

[N.W. SAMBRE, J.]