

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

CRIMINAL APPLICATION NO. 5893 OF 2015

Narayan S/o Raghunath Lokhande,

Age : 34 years, Occu. Agriculturist & Labourer,

R/o. Baranjala (Lokhande), Tq. Bhokardan,

Dist. Jalna.

... Applicant

VERSUS

The State of Maharashtra.

... Respondent

.....

Mr Kiran D. Jadhav, Advocate for applicant

Mr S. J. Salgare, APP for respondent/State

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CORAM : **INDIRA K. JAIN, J.**

DATE : **27TH NOVEMBER, 2015.**

PER COURT:

. Applicant is involved in Crime No. 137 of 2015 registered at Bhokardan Police Station, Dist. Jalna for the offences punishable under Sections 302, 341, 337, 143, 147, 148, 149, 323, 504, 506 of the Indian Penal Code and Section 135 of the Bombay Police Act.

2. Heard Mr Kiran Jadhav, learned counsel for applicant and Mr S. J. Salgare, learned APP for respondent/State. Perused papers of investigation.

3. Complainant Ramesh Pandurang Lokhande filed complaint alleging therein that applicant and other co-accused entered his agricultural land and assaulted him, his brother Ganesh and Balaji by means of axe, sticks, stones, kicks and fists.

4. Learned counsel for applicant submitted that similarly placed four accused have been enlarged on bail by this Court vide order dt. 30th October, 2015 in Criminal Application No. 5564 of 2015.

5. The main role attributed to applicant as stated in FIR is that he was holding stick in his hand and delivered stick blow on the head of Ganesh and also assaulted complainant and Balaji on their back, legs and hands.

6. Vide order dt. 21st November, 2015 Investigating Agency was directed to produce injury certificate in respect of Ganesh. The said injury certificate is produced by the learned APP. It shows that Ganesh has not sustained any injury.

7. In this background and considering role attributed to four accused Shrimant, Kalabai, Vandana and Ashabai who have been already enlarged on bail, this Court on the rule of parity finds it fit to release the applicant on bail. Hence, the following order.

ORDER

- (i) Criminal Application No. 5893 of 2015 is allowed.
- (ii) The applicant is released on bail in Crime No. 137/2015 registered at Bhokardan Police Station, Dist. Jalna for the offences under Sections 302, 341, 337, 143, 147, 148, 149, 323, 504, 506 of the Indian Penal Code and Section 135 of the Bombay Police Act on his furnishing P.R. and S.B. of Rs.15,000/- (Rupees Ten Thousand only) each.
- (iii) Applicant shall not tamper with the prosecution evidence and shall make himself available as and when required by the Investigating Agency.
- (iv) Till filing of charge-sheet, applicant shall keep himself away from village Baranjala Lokhande, Tq. Bhokardan, Dist. Jalna.

[INDIRA K. JAIN, J.]