

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

CRIMINAL APPLICATION NO. 6257 OF 2015

1. Amol Subhash Jagtap,
Age: 26 years, Occ: Agriculture,
R/o. Gangapur, Taluka Gangapur,
Dist. Aurangabad
2. Atul Devidas Padar,
Age: 28 years, Occu: Agriculture,
R/o. Gangapur, Taluka Gangapur,
Dist. Aurangabad
3. Dnyaneshwar Janardan Patil,
Age: 30 years, Occu: Agriculture,
R/o. Gangapur, Taluka Gangapur,
Dist. Aurangabad
4. Abhay Bausaheb Bhosale,
Age: 27 years, Occu: Agriculture,
R/o. Gangapur, Taluka Gangapur,
Dist. Aurangabad
5. Rahul Ramdas Bhangude,
Age: 27 years, Occu: Agriculture,
R/o. Gangapur, Taluka Gangapur,
Dist. Aurangabad
6. Rahul Eknath Salve,
Age: 25 years, Occu: Agriculture,
R/o. Gangapur, Taluka Gangapur,
Dist. Aurangabad
7. Sandip Gangadhar Alanjkar,
Age: 27 years, Occu: Agriculture,
R/o. Gangapur, Taluka Gangapur,
Dist. Aurangabad

...Applicants

versus

1. State of Maharashtra,
Through Police Inspector,
Gangapur Taluka Police Station,
Gangapur, Taluka Gangapur
Dist. Aurangabad

2. The Superintendent of Police (Rural)
Aurangabad, District Aurangabad ...Respondents

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Mr. N. B. Suryawanshi, Advocate for applicants
Mr. R. V. Dasalkar, A.P.P. for respondents
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CORAM : N.W. SAMBRE, J.

DATE : 17th DECEMBER, 2015

ORAL ORDER :

Heard learned Counsel for the applicants.

2. The applicants are seeking pre-arrest bail in connection with Crime No. I-198/2015 registered on 31/10/2015 at Gangapur Police station, Dist. Aurangabad for the offence punishable under Sections 307, 148, 147, 149, 323, 506 of Indian Penal Code, pursuant to the offence took place on 31/10/2015.

3. Perusal of F.I.R. depicts that the alleged offence took place in two parts, one when complainant-Rajendra was hit by Anand Patil in front of Pyarelal hotel and thereafter all of them went to hospital where the complainant and Arjun were assaulted. Specific role as is attributed to the applicants is that in the hospital, they have assaulted the complainant-Rajendra and Arjun by slapping.

4. In my opinion, the incident as is claimed is on the background of election.

5. Prima facie involvement of the applicants in the offence punishable under Section 307 of Indian Penal Code is ruled out.

6. In view of above, in my opinion, it will be appropriate, to grant pre-arrest bail to the applicants. Hence, I pass following order.

In the event of arrest, the applicants be released on bail in connection with Crime No I-198/2015 registered at Gangapur Police station, Dist. Aurangabad for the offence punishable under Sections 307, 148, 147, 149, 323, 506 of Indian Penal Code, upon furnishing P.R. bond of Rs.25,000/- with one surety in the like amount by each of them, and shall attend the concerned police station initially for four days from 21/12/2015 to 24/12/2015 in between 10-00 a.m. to 11-00 a.m. and thereafter as and when called for.

7. Criminal Application stands allowed in above terms.

[N.W. SAMBRE, J.]