

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1801 OF 2015**

Aniket Chandrakant Wadekar	...Applicant
Versus	
The State of Maharashtra	...Respondent

**WITH
CRIMINAL BAIL APPLICATION NO. 1802 OF 2015**

1. Dhananjay Mohan More,	
2. Swagat Dnyaneshwar Kadam,	
3. Nilesh Raju Gangthade,	
4. Ganesh Dnyaneshwar Choudhari,	
5. Suraj Raju Gangthade	...Applicants
Versus	
The State of Maharashtra	...Respondent

**WITH
CRIMINAL BAIL APPLICATION NO. 1803 OF 2015**

1. Bandu Shamrao Atakale,	
2. Ishwar Hari Shinde,	
3. Santosh Laxman Kawade	...Applicants
Versus	
The State of Maharashtra	...Respondent

**WITH
CRIMINAL BAIL APPLICATION NO. 1804 OF 2015**

1. Vishal Annaso Pawar,	
2. Parshuram Arun Kabade,	
3. Maloji Balasaheb Shembade	...Applicants
Versus	
The State of Maharashtra	...Respondent

Mr. Purushottam G. Chavan I/b Mr. R. S. Jadhav for the Applicants

Ms. P. P. Shinde, A.P.P for the Respondent-State in BA/1801/15 & BA/1802/15

Ms. Rutuja Ambekar, A.P.P for the Respondent-State in BA/1803/15

Ms. Veera Shinde, A.P.P for the Respondent-State in BA/1804/15

PSI Mr. A. R. Yadav from Pandharpur City Police Station, Solapur is present

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 1st OCTOBER, 2015

P.C. :

1. Criminal Bail Application Nos. 1801/2015 and 1802/2015 are not on board. Taken on board and heard along with Criminal Bail Application Nos. 1803/2015 and 1804/2015.

2. Heard learned Counsel for the applicants and the learned A.P.Ps for the State.

3. At the outset, learned Counsel for the applicants does not press for bail qua applicant in Bail Application No. 1801/15 (Aniket Chandrakant Wadekar), applicant Nos. 1 and 2 in Bail Application No. 1802 of 2015

(Dhananjay Mohan More & Swagat Dnyaneshwar Kadam) and applicant No. 1 in Bail Application No. 1803 of 2015 (Bandu Shamrao Atakale). He submits that after charge-sheet is filed, the aforesaid applicants will file fresh Bail Applications before the appropriate Court and seeks leave to withdraw the respective applications qua the said applicants.

4. As far as applicant Nos. 3 to 5 in Bail Application No. 1802 of 2015, applicant Nos. 2 and 3 in Bail Application No. 1803 of 2015 and applicants in Bail Application No. 1804 of 2015, the learned Counsel seeks their enlargement on bail in connection with C.R. No. 157 of 2015 registered with the Pandharpur City Police Station, for the alleged offences punishable under Sections 143, 147, 148, 149, 353, 435, 427, 341, 506 of the Indian Penal Code.

5. The incident in question has taken place on 19th August, 2015 at about 5: 15 p.m. It appears from the complaint that all the accused came on motor cycles, stopped a State Transport Bus bearing No. MH-14-BT-1106, entered into the bus, threatened the passengers and assaulted them. He has further alleged that when one police constable (Dattatray Gorakh

Bhosale) tried to stop the accused, some of the accused assaulted him. Thereafter, the passengers were made to alight from the bus and the bus was set on fire. Pursuant to the said incident, the driver of the bus Shirang Mali lodged the aforesaid complaint for the alleged offences.

6. Learned Counsel for the applicant states that no specific overt act has been disclosed as against the applicant Nos. 3 to 5 in Bail Application No. 1802 of 2015; as against the applicant Nos. 2 and 3 in Bail Application No. 1803 of 2015 and as against the applicants in Bail Application No.1804 of 2015. He submits that the applicants are in custody since 21st August, 2015. He submits that no identification parade has been held in which the applicants have been identified.

7. Considering the aforesaid and the fact that the applicants have been in custody and have not been assigned any specific overt act, the applicant Nos. 3 to 5 in Bail Application No. 1802 of 2015, applicant Nos. 2 and 3 in Bail Application No. 1803 of 2015 and applicants in Bail Application No. 1804 of 2015 are enlarged on bail on the following terms and conditions :

ORDER

(i) The applicants Nilesh Raju Gangthade, Ganesh Dnyaneshwar Choudhari, Suraj Raju Gangthade, Ishwar Hari Shinde, Santosh Laxman Kawade, Vishal Annaso Pawar, Parshuram Arun Kabade and Maloji Balasaheb Shembade be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- each, with one or two sureties in the like amount;

(ii) The applicants shall attend the concerned Police Station on the first and third Saturday of every month from 10:00 a.m. to 11:00 a.m. for a period of 6 months from the date of their release and thereafter on the first Saturday of every month from 10:00 a.m. to 11:00 a.m. till the conclusion of the trial;

(iii) The applicants shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicants shall inform their latest places of residence and mobile contact numbers immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicants to cooperate with the conduct of the trial;

8. The applications are disposed of as withdrawn *qua* applicant in Bail Application No. 1801/15 (Aniket Chandrakant Wadekar), applicant Nos. 1 and 2 in Bail Application No. 1802 of 2015 (Dhananjay Mohan More & Swagat Dnyaneshwar Kadam) and applicant No. 1 in Bail Application No. 1803 of 2015 (Bandu Shamrao Atakale).

9. The Applications are disposed of in the above terms.

10. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

11. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.

CERTIFICATE

Certified to be true and correct copy of the original signed
order.
