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

CRIMINAL APPLICATION NO.71 OF 2016

Ajay Kalyanmal Chudiwal & anr. ..APPLICANTS

VERSUS

The State of Maharashtra ..RESPONDENT

Mr R.R. Karpe, Advocate for applicants;
Mr K.D. Munde, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 14th January, 2016

ORDER :

By the present application under section 438 of the Code of Criminal Procedure, the applicants are seeking their release on pre-arrest bail, in connection with C.R. No.I-337 of 20-15, registered with Shrirampur City Police Station, Tq. Shrirampur, Dist. Ahmednagar, for offences punishable under sections 353, 332, 504 read with section 34 of the Indian Penal Code.

2. Learned Counsel appearing on behalf of the applicants would urge that out of altercation with the Bus Conductor, the applicants are falsely implicated in the crime in question. According to him, custodial interrogation of the applicants is not necessary.

3. Learned Addl. Public Prosecutor appearing on behalf of the applicants has opposed on the ground that custodial interrogation of the applicants is necessary as the offence is against the public servant.

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4. Having perused the first information report and other investigation papers, in my opinion, custodial interrogation of the applicants will hardly be of any necessity.

5. In view of above, in my opinion, this is a fit case for grant of pre-arrest bail to the applicants. I, therefore, pass following order :-

In the event of arrest of the applicants, in connection with C.R. No.I-337 of 20-15, registered with Shrirampur City Police Station, Tq. Shrirampur, Dist. Ahmednagar, for offences punishable under sections 353, 332, 504 read with section 34 of the Indian Penal Code, they be released on bail, on each of them furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.

The applicants shall attend the concerned police station, initially on 27th and 28th January, 2016, between 10.00 a.m. and 12.00 noon and thereafter as and when called by the Investigating Officer.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj