

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

CRIMINAL APPLICATION NO.102 OF 2016

1. Ratan s/o Girjaji Khandale
Age 62 years, Occu. Agri.,

2. Kishor s/o Ratan Khandale,
Age 35 years, Occu. Agri.,

Both r/o Mandva, Taluka Badnapur,
District Jalna

..Applicants

Versus

1. The State of Maharashtra
Through Police Station, Jalna
Taluka and Dist. Jalna

2. The Superintendent of Police,
Jalna

..Respondent

Mr G.G. Suryawanshi, Advocate for applicants
Mr S.Y. Mahajan, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 18th January 2016

PER COURT

Heard.

2. The applicants are seeking pre-arrest bail in Crime No.264/2015 registered at Police Station, Jalna, for the offences punishable under Sections 326, 325, 504 read with Sec.34 of Indian Penal Code, for an incident dated 9th November 2015.

3. The role attributed to the applicants as per prosecution story is by use of rod and axe, they have assaulted the complainant and his family members.

4. Learned Counsel for the applicants while trying to make out the case for grant of pre-arrest bail, would urge that counter offence vide Crime No.90/2013 is registered against the complainant. He would then submit that in view thereof, false implication of the applicants cannot be ruled out.

5. Learned A.P.P. opposed the application on the ground that there is sufficient evidence on record, which depicts prima facie involvement of the applicants in commission of crime in question and relies upon the injury certificate.

6. Perused the investigation papers and the injury certificate. The injury certificate corresponds with the nature of allegations made in the F.I.R.

7. There is prima facie case against the applicants of their involvement in commission of crime in question. As such, Criminal Application stands rejected.

8. The observations made herein are prima facie in nature.

(N.W. SAMBRE, J.)

vvr