

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

CRIMINAL APPLICATION NO. 145 OF 2016

1. Illahi khan s/o Maheboob khan Pathan,
Age: 40 years, Occ: Agri.,
R/o. Chikhal beed, Tq. Wadwani,
District Beed.
2. Shaikh Mainnuddin s/o Shaikh Chotumiya,
Age: 61 years, Occ: Agri.,
R/o. Pimpra, Rui, Tq. Wadwani,
District Beed.
3. Shaikh Gabru s/o Chotu Miya,
Age: 47 years, Occ: Agri.,
R/o. Pimpra Rui, Tq. Wadwani,
District Beed.

...Applicants

versus

The State of Maharashtra,
through the Police Inspector,
Police Station, Wadwani,
Tq. Wadwani, Dist. Beed.

...Respondent

.....
Mr. P.N. Muley, Advocate for applicant
Mr. U.S. Mote, A.P.P. for respondent
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CORAM : N.W. SAMBRE, J.

DATE : 19th JANUARY, 2016

ORAL ORDER :

The applicants are seeking pre-arrest bail in Crime No.68 of 2015 registered with Wadwani Police Station, District Beed for the offence punishable under Sections 307, 147, 148, 149, 324, 323, 109 of the Indian Penal Code and under Section 4/25 of the

Arms Act.

2. It is not in dispute that another Crime No. 69 of 2015 came to be registered against the complainant and his family members for offence punishable under Sections 397, 307, 452, 147, 148, 149, 336, 324 of Indian Penal Code and under Section 4/25 of the Arms Act.

3. Learned Counsel for the applicants submits that but for their presence, no specific role is attributed and there are omnibus allegations against them.

4. Learned A.P.P. submits that applicant No. 3 assaulted Akbar, who has suffered simple injuries. According to him, the application be rejected.

5. Upon perusal of the investigation papers, it is to be noted that Akbar sustained injury by hard and blunt object, whereas allegations against applicant No. 3 is that of use of sword.

6. Apart from above, false implication of the applications in the crime in question cannot be ruled out. No specific role is attributed against them. In view of counter F.I.Rs., the application is

allowed. Hence, the following order.

In the event of arrest, the applicants be released on bail, in connection with Crime No.68 of 2015 registered with Wadwani Police Station, District Beed for the offence punishable under Sections 307, 147, 148, 149, 324, 323, 109 of the Indian Penal Code and under Section 4/25 of the Arms Act, upon executing P.R. bond of Rs.15,000/- with one surety in the like amount. The applicants shall attend the concerned police station every day from 21st January to 23rd January, 2016 in between 10-00 a.m. to 12-00 noon and thereafter as and when called by the Investigating Officer.

7. The application is allowed in above terms.

[N.W. SAMBRE, J.]