

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

CRIMINAL APPLICATION NO.321 OF 2016

1. Dattatraya s/o Govardhan Gholap,
Age 30 years, Occu. Agriculture,
R/o Wambori, Taluka Rahuri,
District Ahmednagar
 2. Sarjerao s/o Bapurao Todmal,
Age 45 years, Occu. Agriculture,
R/o Wambori, Taluka Rahuri,
District Ahmednagar
- .. Applicants

Versus

- . The State of Maharashtra,
Through Police Station Officer,
Rahuri Police Station,
District Ahmednagar
- .. Respondent

- WITH -

CRIMINAL APPLICATION NO.322 OF 2016

- . Mahesh s/o Govardhan Gholap,
Age 30 years, Occu. Education
R/o Wambori, Taluka Rahuri,
District Ahmednagar
- .. Applicant

Versus

- . The State of Maharashtra,
Through Police Station Officer,
Rahuri Police Station,
District Ahmednagar
- .. Respondent

Mr N.V. Gaware, Advocate for applicants
Mr S.J. Salgare, A.P.P. for respondent

- WITH -

CRIMINAL APPLICATION NO.363 OF 2016

1. Baban Maruti Satre,
Age 62 years, Occu. Agriculture,
2. Subhash Baban Satre,
Age 27 years, Occu. Agriculture,

Both R/o Nagardevle, Taluka Nagar,
District Ahmednagar

.. Applicants

Versus

. State of Maharashtra

.. Respondent

Mr Joydeep Chatterji, Advocate for applicants
Mr S.J. Salgare, A.P.P. for respondent

- WITH -

CRIMINAL APPLICATION NO.389 OF 2016

. Dharmendra @ Navnath
Narayan Satre, Age 38 years,
Occup. Agriculture, R/o Katrad,
Taluka Rahuri, Dist. Ahmednagar

.. Applicant

Versus

. The State of Maharashtra,
Through Police Station Officer,
Rahuri Police Station,
District Ahmednagar

.. Respondent

Mr N.V. Gaware, Advocate for applicant
Mr S.J. Salgare, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 3rd February 2016

PER COURT

Heard.

2. All the applicants are seeking regular bail in Crime No.I-90/2015 registered at Rahuri Police Station, District Ahmednagar, for the offences punishable under Sections 395, 307, 452, 354-A, 355, 324, 323, 504 and 506 of Indian Penal Code.

3. The alleged incident has occurred on 13th March 2015.
4. The applicants are seeking bail on the ground that the investigation in the matter is complete and charge-sheet is already filed, as such their further detention is not necessary.
5. The common submission of the applicants is that there are no allegations against them in the matter of commission of offence under Sections 395 and 307 of the Indian Penal Code.
6. Learned Counsel for the applicants have invited attention of this Court to the order passed in Criminal Application Nos.5030 of 2015, 6604 of 2015 and 5729 of 2015, 6107 of 2015 wherein similarly placed accused persons are ordered to be released on bail.
7. Learned A.P.P. opposed the applications on the ground that the offence is serious one and there is prima facie evidence against the applicants.
8. Having bestowed my thoughts to the submissions made, so far as applicants accused Dattatraya Gholap and Sarjerao Gholap are concerned, it is required to be noted herein that there are no specific allegations in the F.I.R. against them.
9. So far as accused Mahesh is concerned, the allegations against him are commission of offence under Section 355 (1) of Indian Penal Code, which is bailable.

10. So far as applicant Dharmendra @ Navnath Satre is concerned, there are sweeping allegations for commission of offence punishable under Section 307 and so far as the commission of offence punishable under Section 355 of Indian Penal Code, the same is bailable.

11. So far as applicants Baban Satre and Subhash Satre in Criminal Application No.363 of 2016 are concerned, the allegations against them are commission of offence under Section 354-A of Indian Penal Code, which is punishable up to period of three years.

12. It is required to be noted that the perusal of F.I.R. and other investigation papers depict the sweeping allegations against the applicants. The applicants are behind the bar since last more than ten months.

13. Apart from above, further detention of the applicants is not necessary, as the investigation in the matter is complete and charge-sheet is already filed. The applicants are entitled for bail, in view of principle of parity, as in cases of other similarly placed accused persons, this Court has already granted bail, as referred supra.

14. In this background, it will be appropriate, in my opinion to allow the present applications.

15. The applicants be released on bail in Crime No.I-90/2015 registered at Rahuri Police Station, District Ahmednagar, for the offences punishable under Sections 395, 307, 452, 354-A, 355, 324, 323, 504 and 506 of Indian Penal Code, upon furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount, by each of them.

16. The applicants shall not enter in their respective villages for a period of six months or till conclusion of the trial, whichever occurs first.

17. Criminal Applications stand allowed in above terms.

(N.W. SAMBRE, J.)

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