

CRIMINAL APPLICATION NO. 369 OF 2016

...APPLICANT

...RESPONDENT

CORAM : N.W. SAMBRE, J.

DATE : 2nd February, 2016

ORDER :

By the present application under section 438 of the Code of Criminal Procedure, the applicant is seeking pre-arrest bail, in connection with C.R. No.957 of 2015, registered with police station, Kranti Chowk, Aurangabad, for offence punishable under section 394 read with section 34 of the Indian Penal Code.

2. Perused the first information report. In my opinion, the first information report narrates complete improbable story, as the complainant himself has admitted that, when the incident took place, he was under influence of liquor and after he was assaulted by the applicant, he became unconscious and thereafter he was robbed of an amount of Rs.2,000/-.

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3. Perused the investigation papers. The injuries suffered by the complainant are contused lacerated wound and trauma, which might have been caused because of his fall, as he was under influence.

4. Further, in the above background and having regard to improbable story, in my opinion, it will be appropriate to enlarge the applicant on pre-arrest bail. I, therefore, pass following order :-

In the event of arrest of the applicant, in connection with C.R. No.957 of 2015, registered with police station, Kranti Chowk, Aurangabad, for offence punishable under section 394 read with section 34 of the Indian Penal Code, he be released on bail, on furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.

The observations made herein above are *prima facie* in nature.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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