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

CRIMINAL APPLICATION NO.726 OF 2016

1. Parubai w/o Waman Pawale,
 2. Renukabei w/o Manika Pawale ..APPLICANTS
- VERSUS
- The State of Maharashtra ..RESPONDENT

Mr A.A. Khande, Advocate holding for Mr S.D. Tare, Advocate for for applicants;
Mr S.Y. Mahajan, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 22nd February, 2016

ORDER :

By the present application under section 438 of the Code of Criminal Procedure, the applicants, who are women, are seeking grant of pre-arrest bail, in connection with C.R. No.85 of 2015, registered with police station, Basmath (Rural), for offences punishable under sections 307, 447, 143, 147, 148 and 149 of the Indian Penal Code.

2. The incident is alleged to have taken place on 5th December, 2015, for which first information report has been lodged on 10th December, 2015.

3. This Court, by an order dated 8th February, 2016, has granted *ad interim* protection to the applicants.

(2)

4. The allegation against the present applicants is that applicant no.2 Renukabai sold part of her holding in immovable property, i.e. agricultural land to the complainant and the dispute ensued in relation to possession thereof. It is claimed that the applicants along with other three accused persons have assaulted the complainant.

5. The pre-arrest bail is sought on the ground that the applicants are falsely implicated in the crime in question and nothing is to be recovered from them. It is further claimed that the applicants are women and looking to the age of applicant no.1, the allegations in the first information report appear to be improbable.

6. Learned Addl. Public Prosecutor opposed the application on the ground that the applicants are involved in a serious and grave offence punishable with life imprisonment.

7. On perusal of the first information report and other investigation papers, it is noted that other three accused persons were already arrested and during investigation the weapons used in commission of the crime in question were already recovered from their custody. Apart therefrom, if the medical papers in relation to the complainant are perused, the injury suffered by him corresponds with that of the weapons which are already recovered.

(3)

8. In view of above observations and having regard to the fact that the applicants are women, in my opinion, it will be appropriate to allow the application. I, therefore, pass following order :-

In the event of arrest of the applicants, in connection with C.R. No.85 of 2015, registered with police station, Basmath (Rural), for offences punishable under sections 307, 447, 143, 147, 148 and 149 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 28th and 29th February, 2016, between 10.00 a. m. and 12 noon and thereafter as and when called by the Investigating Officer.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj