

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1258 OF 2016

- 1] Rohan Vilas Raiban
Age 20 years, Occ. Education,
r/o. Tambri Vibhag, Osmanabad
- 2] Ravi Ramakant Wadne,
Age 20 years, Occ. Education,
r/o. Tambri Vibhag, Osmanabad ..Applicants

Versus

The State of Maharashtra ..Respondent

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Mr.A.S.More, advocate for applicants

Mr.U.S.Mote, APP for respondent - State

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CORAM : M.T. JOSHI, J.

DATE : MARCH 09, 2016

PER COURT :

Heard.

2] The applicants, who are arrested in Crime No.49 of 2016 registered at Osmanabad City Police Station, Dist. Osmanabad for the offences punishable under Section 307, 324, 323, 143, 147,

148, 149 of Indian Penal Code, are praying for their release on bail.

3] Both the applicants were arrested on 6th February, 2016. The complaint of the injured would show that due to certain previous dispute, present applicants along with seven accused had assaulted him.

. So far as applicant no.1 – Rohan is concerned, the allegations are that he had caught neck of the complainant and made him immobile while, applicant no.2 – Ravi had given blow of knife in the left side chest of the complainant. In the circumstances, the offence came to be registered.

4] Learned counsel for the applicants, during hearing, on instructions, submits that the applicant no.2 – Ravi does not wish to press the present application, however, liberty to file the

similar application in the Sessions Court after filing of the charge sheet, may be granted.

5] As regards applicant no.1 – Rohan, learned counsel submits that as per the prosecution case, in all seven accused are involved in the incident and present applicant no.1 is one of them. He submits that considering the allegations against applicant no.1, he may be released on bail.

6] Learned A.P.P. opposes the application.

7] Considering all the facts on record and finding that now the investigation is practically complete, present applicant no.1 – Rohan deserves to be released on bail.

8] Hence, the following order :-

A] Criminal Application is hereby party allowed to the extent of applicant no.1 – Rohan only.

B] **Applicant no.1 – Rohan Vilas Raiban** be released on bail in Crime No.49 of 2016 registered at Osmanabad City Police Station, Dist. Osmanabad for the offences punishable under Section 307, 324, 323, 143, 147, 148, 149 of Indian Penal Code, upon his executing P.R. bond in the sum of Rs.15,000/- (Rs.Fifteen Thousand) and also upon furnishing surety in the like amount.

. He shall not influence any of the the prosecution witnesses in any manner.

C] The application of applicant no.2 – Ravi Ramakant Wadne stands disposed of as withdrawn with liberty to file the similar application in the Sessions Court after filing of the charge sheet.

[M.T. JOSHI, J.]

kbp