

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1649 OF 2016

1. Sunil Suresh Chitrakathe,
Age : 28 years, Occu. Business,
R/o Village Patonda, Taluka
and District Nandurbar
2. Raju Hari Hardas,
Age : 25 years, Occu. Business,
R/o Near Kali Masjid, Nandurbar,
Tq. and District Nandurbar
3. Suresh Narayan Hardas (Chitrakathe),
Age : 24 years, Occu. Business,
R/o Near Kali Masjid, Nandurbar,
Tq. and District Nandurbar

APPLICANTS

VERSUS

The State of Maharashtra,
through Police Inspector,
Police Station, Nandurbar

RESPONDENT

Mr. Ruchir S. Wani, Advocate for the applicants
Mr. U.S. Mote, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.
DATE : 02/04/2016

ORAL ORDER :

1. Heard both sides.
2. The present applicants who are arrested by
Nandurbar City Police Station, District Nandurbar in

Crime No. 09/2016, registered for the offences punishable under section 307, 143, 147, 148, 149, 353, 332, 435, 354, 294, 427 of the Indian Penal Code and under section 3 of the Destruction of Public Property Act and under section 4/25 of the Arms Act, are praying for their release on bail.

3. Hearing from both sides would show that the communal riot had taken place in the city of Nandurbar on 23rd January, 2016 due to the death of one Rohit Vemula, a student from Central University, Hyderabad. It appears that in the riot, a mob of Muslim community as well as Hindu community clashed with each other. In the circumstances, when the police intervened, nine of the police officials had received the injuries, as detailed in the complaint while a motorcycle and a motor-car were damaged due to the pelting of stones.

4. So far as present applicants are concerned, the allegations are that they were members of the mob. Present applicant No. 2 is alleged to have caught hair of one woman, namely, Farjana and applicants No. 1 and 3 were the persons who were pelting the stones.

5. Learned counsel for the applicants filed the true copy of the order dated 15th March, 2016 passed by this Court in Criminal Application NO. 1101/2016. The same is accepted on record and marked "X" for the purpose of identification. The order would show that fourteen members of the rival community were directed to be released on bail as they were arrested on 23rd January, 2016. The present applicants were arrested on 26th January, 2016, 27th January, 2016 and 28th January, 2016, respectively.

6. Considering the role attributed to the present applicants, the following order is passed.

7. All the three applicants be released on bail in Crime No. 09/2016, registered with Nandurbar City Police Station, District Nandurbar, for the offences punishable under section 307, 143, 147, 148, 149, 353, 332, 435, 354, 294, 427 of the Indian Penal Code and under section 3 of the Destruction of Public Property Act and under section 4/25 of the Arms Act, on their executing P.R. bond in the sum of Rs. 15,000/- (rupees fifteen thousand) each and also upon furnishing surety each in the like amount.

8. All the three applicants shall attend the concerned police station on every third Sunday between 9.00 a.m. and 10 a.m., for a period of three months from the date of their release on bail.

9. The present application is accordingly allowed and disposed of.

10. Authenticated copy of this order be supplied to the learned counsel for the applicants, at his request.

[M.T. JOSHI]
JUDGE

npj/criapln1649-2016