

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1677 OF 2016

Shubham Ramling Surwase,
 Age : 22 years, Occu. Education,
 R/o Ram Nagar, Osmanabad,
 District Osmanabad

APPLICANT

VERSUS

The State of Maharashtra,
 through Police Inspector,
 Osmanabad (City) Police Station,
 Osmanabad

RESPONDENT

AND

CRIMINAL APPLICATION NO. 1597 OF 2016

Appa @ Abhimanyu s/o Arjun Chadare,
 Age : 21 years, Occu. Education,
 R/o Wadgaon (S), Taluka and
 District Osmanabad

APPLICANT

VERSUS

The State of Maharashtra,
 through Police Inspector,
 Osmanabad (City) Police Station,
 Osmanabad

RESPONDENT

Mr. Abhijit S. More, Advocate for the applicant
 in Criminal Application No. 1677/2016
 Mr. S.B. Bhapkar, Advocate for the applicant
 in Criminal Application No. 1597/2016
 Mr. U.S. Mote, A.P.P. for the respondent-State
 in both the applications

CORAM : M.T. JOSHI, J.

DATE : 04/04/2016

ORAL ORDER :

1. Heard both sides.
2. The present applicants, who are apprehending their arrest at the hands of Osmanabad City Police Station, District Osmanabad in Crime No. 49/2016, registered for the offences punishable under section 307, 324, 323, 143, 147, 148, 149 of the Indian Penal Code, are praying for their release on bail in the event of their arrest.
3. The complaint of Suraj Mohan Tambe filed on 31st January, 2016 would show that over the issue of previous dispute, the present applicants alongwith other named accused had attacked his friend Laxman Dhoble by taking him away by a car. In the incident, one Ravi Wadne is alleged to have stabbed the complainant with a knife. So far as applicant Shubham in Cri. Application No. 1677/2016 is concerned, it is alleged that this applicant Shubham had injured the complainant on his head with a stone. So far as applicant Appa @ Abhimanyu in Cri. Application No. 1597/2016 is concerned, the allegations are that he alongwith other accused

assaulted the complainant with fists blows.

4. The learned A.P.P. has placed before me the injury certificate regarding the complainant which would not show that there was any injury to the head as alleged. As regards present applicant Shubham, learned A.P.P. submitted that the gang of the main accused had in fact assaulted the complainant and his friend and therefore, the anticipatory bail may not be granted to the applicants.

5. Considering the fact that the complainant had received a single stab wound which was attributed to the another accused, in my view, the custodial interrogation of the present applicants is not required. Hence, the following order.

6. The interim protection granted by this Court to the applicant Appa @ Abhimanyu s/o Arjun Chadare vide order dated 16th March, 2016, passed in Cri. Application No. 1597/2016 and the interim protection granted by this court to the applicant Shubham Ramling Surwase, vide order dated 18th March, 2016, passed in Cri. Application No. 1677/2016, is hereby made absolute on the same terms

and conditions.

7. Both the present applications are accordingly allowed and disposed of.

[M.T. JOSHI]
JUDGE

npj/criapln1677-2016