

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2136 OF 2016

Dhananjay s/o Bhausahab Jogas,
Age : 20 years, Occu. Student,
R/o A/o Narala, Tq. Paithan,
District Aurangabad

APPLICANT

VERSUS

The State of Maharashtra,
through the Police Inspector,
Mukundwadi Police Station,
Aurangabad, Dist. Aurangabad

RESPONDENT

AND

CRIMINAL APPLICATION NO. 1976 OF 2016

Gajanan Harikishor Babirwal,
Age : 20 years, Occu. Education,
R/o Vijaynagar, Lane No. 3,
Garkheda Parisar, Aurangabad

APPLICANT

VERSUS

The State of Maharashtra,
at the instance of Mukundwadi
Police Station

RESPONDENT

Mr. Suresh W. Munde, Advocate for the applicant
in Criminal Application No. 2136/2016
Mr. Abhaysinh K. Bhosale, Advocate for the
applicant in Criminal Application No. 1976/2016
Mr. A.R. Borulkar, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.

DATE : 16/04/2016

ORAL ORDER :

1. Heard both sides.
2. In Criminal Application No. 2136/2016, applicant Dhananjay is seeking anticipatory bail while in Criminal Application No. 1976/2016, applicant Gajanan is seeking regular bail, in Crime No. 0177/2016, registered with Mukundwadi Police Station, District Aurangabad, for the offences punishable under section 307, 143, 144, 147, 148, 149 read with section 34 of the Indian Penal Code.
3. The complaint of the victim of the offence would show that while other named accused had assaulted him and his brother with knife, the present applicants alongwith other twelve named and 2 to 3 un-named accused had abused and manhandled the complainant and his brother as a precursor to the incident of stabbing by the other named accused.
4. Upon hearing both sides and considering the nature of the injuries suffered by the complainant and his brother and finding the role attributed to the present applicants, in my view, both the applications

need to be allowed. In the circumstances, the following order:-

5. In the event of arrest of applicant in Criminal Application No. 2136/2016, namely, Dhananjay s/o Bhausahab Jogas, in Crime No. 177/2016, registered with Mukundwadi Police Station, District Aurangabad for the offences punishable under section 307, 143, 144, 147, 148, 149 of the Indian Penal Code, he be released on bail on his executing P.R. bond in the sum of Rs. 15,000/- (rupees fifteen thousand) and also upon furnishing surety in the like amount.

6. The applicant – Gajanan Harikishor Babirwal be released on bail in Crime No. 177/2016, registered with Mukundwadi Police Station, District Aurangabad for the offences punishable under section 307, 143, 144, 147, 148, 149 of the Indian Penal Code, on his executing P.R. bond in the sum of Rs. 15,000/- (rupees fifteen thousand) and also upon furnishing surety in the like amount.

7. Both the applicants shall attend the investigating officer/concerned police station, for the

purpose of investigation/interrogation, on every second and fourth Tuesday between 09.00 a.m. and 10.00 a.m. for a period of four months i.e. in case of applicant Dhananjay Bhausahab Jogas from fourth Tuesday of April, 2016 and in case of applicant Gajanan Harikishor Babirwal, from succeeding Tuesday after his release on bail.

8. Both the applications are accordingly allowed and disposed of.

[M.T. JOSHI]
JUDGE

npj/criapln2136-1976-2016