

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

CRIMINAL APPLICATION NO. 2119 OF 2016

Ajinkya s/o Dinkar Kahate and ors.

...Applicants

VERSUS

The State of Maharashtra

...Respondent

.....

Shri R.R.Karpe, advocate for applicants

Shri R.B.Bagul, A.P.P. for respondent/State

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CORAM : INDIRA K.JAIN, J.

DATED : 2nd May, 2016

ORDER :

By this application applicants/accused seek their enlargement on regular bail in Crime No. I-72 of 2016, registered at Shrirampur City police station, Taluka Shrirampur, District Ahmednagar, for the offences punishable under Sections 307, 452, 326, 324, 143, 147, 148, 149, 504 of the Indian Penal Code and Sections 4/25 of the Indian Arms Act.

2] Heard Shri R.R.Karpe, learned counsel for applicants and Shri R.B.Bagul, learned A.P.P. for State. Perused papers of investigation.

3] Raju Krushna Waikar is the first informant. Incident took place on 18.3.2016 at 10.30 p.m. near onion market on Newasa road at Shrirampur. It is stated by complainant that they have formed Jai Malhar Mitra Mandal for social work and decided to celebrate Shiv Jayanti on 26.3.2016. At the time of occurrence, accused who are friends of one Sonya Baig came and assaulted complainant with deadly weapons. It is alleged that accused resisted the decision of complainant and his

associates to celebrate Shiv Jayanti and that was the cause of assault. Report was lodged on the next day i.e. 19.3.2016, on the basis of which above said crime came to be registered.

4] The learned counsel for applicants submitted that similarly placed accused persons have been released on bail and on the rule of parity applicants also deserve their enlargement on bail. From the orders passed by the Trial Court it is apparent that co-accused against whom identical allegations have been made came to be enlarged on bail. Hence based on the rule of parity application deserves to be allowed and following order is passed.

ORDER

- (i) Criminal Application No. 2119 of 2016 is allowed.
- (ii) Applicants are released on bail on P.B. and S.B. of Rs.15,000/- each.
- (iii) Applicants shall not tamper with prosecution evidence and shall make themselves available as and when required.
- (iv) Bail before the Trial Court.

[INDIRA K.JAIN, J.]