

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

CRIMINAL APPLICATION NO. 2160 OF 2016

Raju Ratan Desai and anr.

...Applicants

VERSUS

The State of Maharashtra

...Respondent

.....
Shri P.B.Pawar, advocate for applicants

Shri N.T.Bhagat, A.P.P. for respondent/State

.....

CORAM : INDIRA K.JAIN, J.

DATED : 29th April, 2016

ORDER :

Here is an application for regular bail in Crime No. 14 of 2016, registered at Nijampur police station, Taluka Sakri, District Dhule for the offences punishable under Sections 302, 307, 324 143, 147, 148, 149, 323, 504, 506 of the Indian Penal Code. Applicant no.1 was arrested on 13.3.2015 and applicant no.2 was arrested on 18.3.2015 and since then they are in custody.

2] Heard Shri P.B.Pawar, learned counsel for applicant and Shri N.T.Bhagat, learned A.P.P. for State. Perused papers of investigation.

3] It appears from first information report that on 10.3.2016 first informant Dharma along with Ranilal Bagul and Pravin Kejmal was proceeding towards agricultural land of his brother for collecting grass. They reached Pandhari Nala in the forest. It is alleged that

at that time co-accused Nawal Ratan, Khandu Ramlal with other 7-8 persons came and raised dispute on encroachment over forest land. Nawal assaulted complainant on his head by axe. Ranilal intervened to save complainant. Nawal then assaulted Ranilal on his head due to which he sustained grievous injuries and died.

4] From the papers of investigation it is apparent that main role is attributed to co-accused. Applicants were present at the time of occurrence of incident and abused and beat victim with kick and fist blows.

5] Considering the role attributed to applicants this Court is inclined to allow the application. Hence the following order.

ORDER

(i) Criminal Application No. 2160 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.]