

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

CRIMINAL APPLICATION NO. 2175 OF 2016

Naim Jabbar Shaikh and anr.

...Applicants

VERSUS

The State of Maharashtra

...Respondent

.....
Shri A.B.Gaikwad, advocate for applicants
Smt. R.K.Ladda, A.P.P. for respondent/State
.....

CORAM : INDIRA K.JAIN, J.

DATED : 26th April, 2016

ORDER :

This is an application for regular bail in Crime No. I-102 of 2016, registered at Gangapur police station, for the offences punishable under Sections 143, 146, 148, 149, 307, 323, 504, 506 of the Indian Penal Code.

2] Heard Shri A.B.Gaikwad, learned counsel for applicants and Smt. R.K.Ladda, learned A.P.P. for State. Perused papers of investigation.

3] First information report was lodged by Kishor Chavan alleging therein that on 15.3.2016 at about 4.30 p.m. at village Agarwadgaon dispute arose on account of supply of bore well water and applicants with other co-accused assaulted his nephew Janardhan with iron rod, stick, kick and fist blows.

4] Applicants were arrested on 15.3.2016. Since then they are in custody. The weapons used in assault have been recovered. Statements of eye witnesses have been recorded. Major part of investigation is over. Political rivalry is alleged by the applicants. It also appears from the record that wife of co-accused Jabbar had lodged a report against injured Janardhan.

5] Further applicants are permanent residents of Agarwadgaon, Taluka Gangapur, District Aurangabad. There is no likelihood of their fleeing from justice. Co-accused have been released on bail by the Sessions Court. In this premise, no fruitful purpose would be served in keeping the applicants in further custody. Application deserves to be allowed. Hence the following order.

ORDER

(i) Criminal Application No. 2175 of 2016 is allowed.

(ii) Applicants no.1-Naim s/o Jabbar Shaikh and no.2-Hakim s/o Nazir Pathan 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.]

dbm/crap2175.16