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

CRIMINAL APPLICATION NO. 2184 OF 2016

Mustafa s/o Mainoddin Sayyed,
Age: 35 years, Occ. Social Worker,
R/o Rajiv Nagar, Beed,
Tq. & Dist. Beed

..APPLICANT

VERSUS

1. The State of Maharashtra
2. The Deputy Superintendent of Police,
Beed, District Beed

..RESPONDENTS

WITH

CRIMINAL APPLICATION NO. 2816 OF 2016

Sayyed Nisar s/o Sayyed Mubarakali,
Age: 32 years, Occ. Labour,
R/o Police Colony, Balbeer Nagar Road,
Beed, Tq. & Dist. Beed

..APPLICANT

VERSUS

1. The State of Maharashtra
2. The Deputy Superintendent of Police,
Beed, District Beed

..RESPONDENTS

Mr R. S. Shinde, Advocate for applicants;
Mr S. D. Ghayal, Addl. Public Prosecutor for respondents

CORAM : N.W. SAMBRE, J.

DATE : 10th June, 2016

ORDER :

Both the applicants in these applications are seeking their release
on pre-arrest bail, in connection with Crime No. 196 of 2016, registered

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with Shivaji Nagar Police Station, Dist. Beed, for the alleged incident dated 27th February, 2016, resulting into registration of offence punishable under Sections 307, 143 and 149 of the Indian Penal Code.

2. While trying to make out a case for grant of pre-arrest bail, learned Counsel appearing on behalf of the applicants would submit that the main accused namely, Ganesh Jadhav, who was assaulted the public servants, is already released on regular bail. He would then submit that looking to the nature of allegations in first information report, custodial interrogation of the applicants, in crime in question, is not necessary, as there is nothing to be recovered from them. He would then submit that the applicants are falsely roped due to political rivalry and hence they be protected.

3. Learned Additional Public Prosecutor opposed the application on the ground that the applicants have assaulted the police constable in the present crime in question. According to him, there are criminal antecedents against the present applicants.

4. Perused the case diary. Even though there is no involvement of the applicants-accused in physically assault, however, they have issued threats to the complainant and their participation in support of main accused, in crime in question, infers their involvement in crime in question. The statements of the eye witnesses of the incident involves the applicants and looking to the nature of the act of the assault on the police constable, it will be appropriate, in my opinion, to reject the application for bail.

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5. From the contents of the first information report, it could be inferred that inspite of knowing identity, the applicants have repeatedly issued threats to the complainant. It also appears that there are criminal antecedents against the present applicants.

6. In the above background, in my opinion, no case for grant of pre-arrest bail is made out. Both the Criminal applications fail and same stand dismissed.

(N.W. SAMBRE, J.)

sjk