

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

Criminal Application No. 2200 of 2016
(In Criminal Application No. 5677 of 2015)

District : Jalna

1. Raosaheb Suryabhan Bongane,
Age : 60 years,
Occupation : Agriculture.
2. Badri Raosaheb Bongane,
Age : 25 years,
Occupation : Agriculture.
3. Namdeo Raosaheb Bongane,
Age : 25 years,
Occupation : Agriculture.
4. Bhagwan Madhavrao Bongane,
Age : 45 years,
Occupation : Agriculture.

All are R/o. Shevga,
Taluka : Ambad,
District : Jalna.

At present all are
R/o. Changle Nagar,
Ambad, Taluka : Ambad,
District : Jalna.

.. Applicants.

versus

The State of Maharashtra,
Through Police Station,
Ambad, District : Jalna.

.. Respondent.

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Mr. Sudarshan J. Salunke, Advocate, for applicants.

*Mr. S.D. Ghayal, Addl. Public Prosecutor, for the
respondent.*

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CORAM : A.M. BADAR, J.

DATE : 15TH OCTOBER 2016

ORAL ORDER:

This is an application for relaxation of Condition No. "iv" in order dated 5th December 2015, passed by this Court in Criminal Application No. 5677 of 2015 and another connected Application, thereby releasing present applicants on bail Crime No. 157/2015 registered with Police Station, Ambad, District Jalna.

2. Heard the learned Counsel appearing for applicants / accused as well as the learned Addl. Public Prosecutor for respondent / State.

3. My attention was drawn to the interim order passed by this Court on 16th June 2016, thereby relaxing the said condition for a period of six weeks. It is argued by the learned Addl. Public Prosecutor that there is possibility of breach of peace.

4. It is seen that all applicants are agriculturists by occupation. They are prevented from entering into village Shevga in Ambad Taluka of Jalna District, where their agricultural land is situated. By interim order dated 16th June 2016, this condition was relaxed for a period of six weeks

and thereafter relaxation of condition was extended till date, vide order dated 28th July 2016. Nothing is brought on record to show that in the interregnum applicants have misused relaxation of this condition.

5. As applicants are agriculturists by occupation, I am of the opinion that the condition of which relaxation is sought, needs to be waived with passage of time.

6. Hence, I pass the following order :-

(a) The Application is allowed.

(b) Condition No. "iv" in order dated 5th December 2015, passed in Criminal Application No. 5677 of 2015 and connected Application, is waived.

(c) The Application stands disposed of in the above terms.

(A.M. BADAR)
JUDGE

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