

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO. 2243 OF 2016

SHATRUGHNA @ CHHATRUGHNA S/O BHAUSAHEB WANDHARE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Nitin N. Jagadale, h/f Mr. V. D. Salunke.
APP for Respondent : Mr. S. N. Morampalle.
Advocate for Complainant : Mr. Bhushan B. Kularni.

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CORAM : **INDIRA K. JAIN, J.**
DATE : 29th April, 2016.

ORDER:

. This is an application for pre-arrest bail in Crime No.49 of 2016 registered at Ashti Police Station, Taluka Ashti, District Beed for the offences punishable under Sections 143, 147, 148, 149, 307, 323, 504 and 506 read with 34 of the Indian Penal Code and Sections 4(a) (b) and 25 of the Indian Arms Act.

2 Heard the learned counsel for parties. Perused papers of investigation.

3 It can be seen from FIR that on 4th March, 2016 at about 11:30 p.m. first informant Sopan Jalindar Shinde was attacked by five persons near Dhor Vasti on the political rivalry. Role attributed to Applicant is that he delivered blows with iron rod and caused serious

injuries to informant.

4 In FIR name of Applicant does not appear. Prosecution relies upon supplementary statement of informant recorded on 18th April, 2016. In this statement he named the Applicant and states that he learnt from people that Applicant was also one of the assailants. Names of those persons who disclosed the name of Applicant to Complainant are not coming forward. Investigating agency has not recorded statements of such persons. In view of this *prima-facie* involvement of Applicant in commission of crime is not well founded. Application deserves to be allowed. Hence the following order –

ORDER

- I. Criminal Application No.2243 of 2016 is allowed.
- II. In the event of arrest of Applicant in Crime No.49 of 2016 registered at Ashti Police Station, Taluka Ashti, District Beed for the offences punishable under Sections 143, 147, 148, 149, 307, 323, 504 and 506 read with 34 of the Indian Penal Code and Sections 4(a)(b) and 25 of the Indian Arms Act, he shall be released on bail on P.R. and S.B.

of Rs.15,000/- (Rupees Fifteen Thousand Only)
each..

- III. Applicant shall not tamper with the prosecution evidence and shall make himself available as and when required for investigation.

[INDIRA K. JAIN, J.]

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