

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

CRIMINAL APPLICATION NO. 2283 OF 2016

Sameer s/o Shaikh Basheer and ors.

...Applicants

VERSUS

The State of Maharashtra

...Respondent

.....
Smt. Fatema Kazi, advocate h/f
Shri S.S.Kazi, advocate for applicants
Shri A.S.Shinde, A.P.P. for respondent/State

.....

WITH

CRIMINAL APPLICATION NO. 2429 OF 2016

Shri Sanjay Gokul Mali and ors.

...Applicants

VERSUS

The State of Maharashtra

...Respondent

.....
Shri R.S.Wani, advocate for applicants
Shri A.S.Shinde, A.P.P. for respondent/State

.....

CORAM : INDIRA K.JAIN, J.

DATED : 6th May, 2016

ORDER :

These are the applications for regular bail in Crime No. 49 of 2016, registered at Nandurbar City police station for the offences punishable under Sections 395, 307, 143, 147, 148, 149, 353, 332, 436 452, 427 of the Indian Penal Code, Section 3 of the Indian Arms Act.

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

3] Complainant P.S.I. Santosh Tukaram Lole was attached to Nandurbar City police station at the relevant time. Incident occurred on 22.3.2016 at around 1.15 p.m. Complainant received a call from police constable Dnyaneshwar Patil that near Chirag Masjid communal riot had taken place and around 200-250 people each of Hindu and Muslim community gathered there. In pursuance to the information received above said crime was registered. Applicants were arrested on 23.3.2016 and since then they are in custody.

4] On going through the first information report and statements of witnesses it can be seen that no specific role is attributed to each of the applicants. Around 200-250 people each from different groups had assembled on the spot and communal riot had taken place. Nothing could be recovered at the instance of applicants/accused.

5] In the above premise, this Court finds that no purpose would be served in keeping applicants in further custody. Hence the following order.

ORDER

(i) Criminal Application Nos. 2283 of 2016 and 2429 of 2016 are 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.]

dbm/crap2283.16