

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2300 OF 2016

- 1] Arjun S/o Popat Dhaytadak
Age : 27 years, Occu.: Agril.,
- 2] Bhimrao S/o Popat Dhaytadak,
Age : 29 years, Occu.: Agril.,
- 3] Sanjay S/o Popat Dhaytadak
Age : 25 years, Occu.: Agril.,
- 4] Mahadev S/o Khandu Dhaytadak
Age : 37 years, Occu.: Agri.,
- 5] Anil S/o Khandu Dhaytadak
Age : 35 years, Occu.: Agri.,

All R/o Dhayatadakwadi,
Tq. Pathardi,
Dist. Ahmednagar

.. Applicants

Vs.

The State of Maharashtra
Through the Police Station,
Pathardi, Tq. Pathardi,
Dist. Ahmednagar

.. Respondent

Mr. P.N. Muley, Advocate for the applicant
Mr. R.B. Bagul, A.P.P. for the respondent-State
Mr. V.B. Jagtap, Advocate for assist to APP

CORAM : INDIRA K. JAIN, J.
DATE : 02/05/2016

ORDER :

By this application, applicants seek pre-arrest bail in crime no. 0065 of 2016 registered at

Pathardi Police Station, Dist. Ahmednagar for the offences punishable under section 143, 147, 148, 149, 323, 324, 326, 504, 506 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Muley, learned counsel for applicants, Mr. Bagul, learned A.P.P. for respondent/State assisted by Mr. Jagtap, learned counsel for complainant. Perused case papers.

3. Babasaheb Baburao Dhaytadak is the first informant. He states in FIR that he had stranged relations with applicants, as there was a dispute on agricultural land. It is alleged that on 19/2/2016 near Vitthal Rukhmini temple, applicants were armed with sword, sticks and sickles and delivered multiple blows on complainant, due to which, he received bleeding injuries. It is further alleged that applicants abused and threatened the complainant to his life.

4. From the papers of investigation, it can be seen that weapons allegedly used in commission of offence have been recovered. Previous enmity between

the parties is admitted. Statements of most of the material witnesses have been recorded. Custodial interrogation of applicants is not necessary.

5. In the above premise, considering the nature of offences alleged against the applicants and since their custodial interrogation is not necessary, this Court is inclined to grant protection and proceed to pass the following order:-

6. Criminal Application No. 2300 of 2016 is allowed in terms of prayer clause (C).

7. Applicants shall co-operate the investigating agency for investigation/interrogation.

[INDIRA K. JAIN]
JUDGE

arp/