

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

CRIMINAL APPLICATION NO. 2414 OF 2016

Shaikh Rashid Shaikh Iqbal
@ Abdul Rashid Abdul Iqbal Salmani & ors. ...Applicant

VERSUS

The State of Maharashtra ...Respondent

.....
Smt. Fatema Kazi, advocate h/f
Shri S.S.Kazi, advocate for applicant
Shri R.B.Bagul, A.P.P. for respondent/State
.....

WITH

CRIMINAL APPLICATION NO. 2428 OF 2016

Shri Deva Bhika Mali and ors. ...Applicants

VERSUS

The State of Maharashtra ...Respondent

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

CORAM : INDIRA K.JAIN, J.

DATED : 6th May, 2016

ORDER :

By these applications applicants/accused are seeking their enlargement on regular bail in Crime No. 50 of 2016, registered at Nandurbar City police station for the offences punishable under Sections 395, 307, 143, 147, 148, 149, 353, 332, 452, 427 of the Indian Penal Code, Section 3 of Destruction of Public Property Act and Section 4/25 of the Indian Arms Act.

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

3] Complainant P.S.I. Dattatraya Popat Gulig was attached to Nandurbar City police station at the relevant time. On 22.3.2016 he was on Bandobast duty at Chirag Galli and Ram Rahim Chowky. At around 10.00 a.m. all the applicants and others armed with deadly weapons came to the spot, pelted stones and assaulted the police personnel. It is alleged that communal riot had taken place and around 200-250 people each of Hindu and Muslim community gathered on the spot. They damaged and destroyed public and private properties. On the report above said crime came to be registered.

4] From the statements of witnesses it can be gathered that no specific role is attributed to each of the applicants. Nothing was recovered at their instance. The huge mob had assembled on spot and communal riot took place. The learned A.P.P. on instructions submits that situation is now under control.

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 No. 2414 of 2016 and 2428 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/crap2414.16