

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

**CRIMINAL APPLICATION NO. 2292 OF 2016**

1] Vikram S/o Nagnathrao Patil,  
Age : 32 years, Occu : Agri.,

2] Vivek S/o Nagnathrao Patil,  
Age : 29 years,  
Occu.: Agril. & Business

Both R/o Shahaji Nagar,  
Degloor, Tq. Degloor, Dist. Nanded .. Applicants  
(Accused No.7 & 8)

**Vs.**

1] The State of Maharashtra  
Through Police Station,  
Degloor, Dist. Nanded

2] The Superintendent of Police,  
Nanded, Dist. Nanded .. Respondents

**WITH**

**CRIMINAL APPLICATION NO. 2438 OF 2016**

1] Manoj S/o Sidramappa Bidwe @ Bidwi,  
Age : 45 years, Occu.: Business,  
R/o Patel Chowk, Amleshwar Galli,  
Latur, Dist. Latur

2] Kiran S/o Sidramappa Bidwe @ Bidwi,  
Age : 42 years, Occu.: Agril.,  
R/o Patel Chowk, Amleshwar Galli,  
Latur, Dist. Latur

.. Applicants  
(Accused No.3 &4)

**Vs.**

1] The State of Maharashtra  
Through Police Station,

Degloor, Dist. Nanded

2] The Superintendent of Police,  
Nanded, Dist. Nanded .. Respondents

**AND**

**CRIMINAL APPLICATION NO. 2653 OF 2016**

Jaikishan S/o Nilkanthrao Patil  
Age 23 years, Occu.: Student,  
R/o. Shahaji Nagar, Degloor,  
Tq. Degloor, Dist. Nanded

**Vs.**

1] The State of Maharashtra  
Through Police Station,  
Degloor, Dist. Nanded

2] The Superintendent of Police,  
Nanded, Dist. Nanded .. Respondents

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Mr. S.J. Salunke, Advocate for the applicants in all  
matters

Mr. S.Y. Mahajan, APP for the respondent-State

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**CORAM : N.W. SAMBRE, J.**

**DATED : 09/06/2016**

**ORAL ORDER :**

Heard.

2. The applicants are seeking pre-arrest bail  
in Crime no.111 of 2016 registered at Degloor Police  
Station, Dist. Nanded for the offences punishable

under section 307, 326, 143, 147, 148, 149, 323, 504, 506 of the Indian Penal Code and under section 25 of the Arms Act for the alleged incident dated March 13, 2016.

3. The prosecution case is that the complainant – Ravishankar was having a dispute with the accused Nilkanth in relation to a piece of land where the hotel Poonam was standing. The complainant claims that there is a decree in his favour protecting his possession over the suit property and the present accused persons alongwith main accused – Nilkanth have tried to demolish the suit property. It is then claimed that when the complainant tried to intervene, he was attacked by the accused persons with the help of sword, sickle and fist blows.

4. So far as accused – Jaikishan is concerned, the role attributed is use of sickle, whereas against the other accused persons, there are vague

allegations.

5. It is brought to my notice by Shri Salunke, learned counsel for the applicants that Virendra, co-accused, who is similarly placed like the present applicants other than Jaikishan, is already released on bail by this Court vide order dated 16<sup>th</sup> April, 2016 passed in Criminal Application No.2079 of 2016. According to him, the custodial interrogation of the applicants is not necessary.

6. Learned A.P.P. opposed the application, particularly as regards Jaikishan on the ground that there is direct attribution in the FIR of use of sickle by him and causing injury to the leg of the complainant.

7. He would then submit that custodial interrogation of the applicants is necessary and prayed for rejection of all the applications.

8. Having bestowed my thoughts to the submissions made and having regard to the fact that this Court has already granted bail to the co-accused Virendra, apart from Jaikishan, all the other accused, in my opinion, are entitled to be released on bail on parity on the same terms and conditions.

9. So far as accused – Jaikishan is concerned, he is a student and there appears to be enmity between the complainant and his father – Nilkanth, as there exist a civil dispute in between the parties. Apart from above, looking to the nature of injuries suffered which are simple and the evidence available on record, a false implication of Jaikishan cannot be ruled out. In view of this, the following order:-

10. In the event of the arrest of the applicants in all these applications in Crime no.111 of 2016 registered with Degloor Police

Station, Dist. Nanded for the offences punishable under section 307, 326, 143, 147, 148, 149, 323, 504, 506 of the Indian Penal Code and under section 25 of the Arms Act, each of them be released on bail upon their executing P.R. bonds in the sum of Rs.15,000/- (Rs. Fifteen Thousand) each with one surety each in the like amount.

11. The applicants shall attend the investigating officer as and when reasonably called by him for the purposes of investigation/interrogation. The applicants shall not attempt to influence any of the prosecution witnesses in any manner.

12. Criminal Applications are accordingly allowed and disposed of.

**[N.W. SAMBRE]**  
**JUDGE**

arp/-