

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

CRIMINAL APPLICATION NO. 2471 OF 2016

Sachin Suryakant Patil (Bhadane) & ors.

...Applicants

VERSUS

The State of Maharashtra & anr.

...Respondents

Shri R.R.Mantri, advocate for applicants

Shri N.T.Bhagat, A.P.P. for respondent/State

CORAM : INDIRA K.JAIN, J.

DATED : 4th May, 2016

ORDER :

By this application applicants are seeking their enlargement on regular bail in Crime No. 44 of 2016, registered at Azadnagar police station, District Dhule for the offences punishable under Sections 307, 395, 363, 342, 504, 506 of the Indian Penal Code, Sections 4/25 of the Indian Arms Act, Section 4(i)(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and Section 3(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2] Heard Shri R.R.Mantri, learned counsel for applicants and Shri N.T.Bhagat, learned A.P.P. for respondents/State, assisted by Shri N.L.Chaudhari, learned counsel for complainant. Perused papers of investigation.

3] Kiran Narayan Jondhale, resident of Parola road, Dhule is the first informant. He belongs to Scheduled Caste. One Sushilabai had some dispute with Manohar. Sushilabai called complainant for help. A quarrel took place near the house of Sushilabai. It is alleged that when complainant was returning home, 60-70 persons came in various vehicles. They were armed with deadly weapons. They robbed complainant of Rs.One Lakh kept in his pocket and threw him away on the high way.

4] It can be seen from first information report that no specific role is attributed to each of applicants. Applicants were in police custody for five days. Nothing was recovered at their instance. Investigating agency has recorded statements of almost all material witnesses.

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

ORDER

(i) Criminal Application No. 2471 of 2016 is 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 for investigation/interrogation.

- (iv) Bail before the Trial Court.
- (v) Humdast permitted.

[INDIRA K.JAIN, J.]

dbm/crap2471.16