

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

Criminal Application No. 2684 of 2016

District : Beed

1. Sharad Pandit Wankalas,
Age : 35 years,
Occupation : Service,
R/o. Kaij, Taluka : Kaij,
District : Beed.
2. Laxman Hariba Hankare,
Age : 45 years.
3. Vrandawani @ Manisha Laxman
Hankare,
Age : 30 years,
Occupation : Agriculture.
4. Hariba Rama Hankare,
Age : 100 years,
Occupation : Agriculture.

Applicant Nos.2 to 4,
R/o. Village Undri,
Taluka : Kaij,
District : Beed.

.. Applicants.

versus

The State of Maharashtra,
Through Wadgaon Police Station,
District : Beed.

.. Respondent.

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Mr. S.H. Jagiasi, Advocate, for the applicants.

*Mr. C.V. Dharurkar, Addl. Public Prosecutor, for
the respondent.*

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CORAM : N.W. SAMBRE, J.

DATE : 16TH JUNE 2016

ORAL ORDER :

Heard.

2. The applicants are seeking pre-arrest bail in connection with Crime No. 28/2016, registered at Yusuf Wadgaon Police Station, Taluka Kaij, District Beed, for offences punishable under Sections 394, 323, 504, 506, read with Section 34 of the Indian Penal Code, pursuant to an incident occurred on March 23, 2016, of which FIR is lodged by the original complainant.

3. It is brought to my notice that there is another crime registered against father of the complainant and other family members, vide Crime No. 27/2016 for offences punishable under Sections 354, 323, 504, 506 read with Section 34 of the Indian Penal Code and Sections 3(1)(x) and 3(1)(xi) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4. Perusal of the FIR in Crime No. 28/2016 depicts that the custodial interrogation of the applicants is not necessary and false implication cannot be ruled out in view of the counter FIR. Hence, the applicants deserve to be granted pre-arrest bail.

5. Hence, the Application is allowed with the following directions :-

(a) In the event of arrest of the applicants, in connection with Crime No. 28/2016, registered at Yusuf Wadgaon Police Station, Taluka Kaij, District Beed, for offences punishable under Sections 394, 323, 504, 506, read with Section 34 of the Indian Penal Code, they are directed to be released on bail, on their executing P.R. Bond in the sum of Rs. 15,000/- each, with one surety in the like amount by each of them.

(b) The applicants shall attend Police Station, Yusuf Wadgaon, on 25th and 26th June 2016 and thereafter as and when reasonably called by the Investigating Officer for the purpose of investigation.

(c) The applicants shall not try to contact the prosecution witnesses and they shall not try to tamper with the prosecution evidence in any manner whatsoever.

6. The Application stands disposed of in the aforesaid terms.

(N.W. SAMBRE)
JUDGE

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