

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

CRIMINAL APPLICATION NO. 2709 OF 2016

1. Ananta s/o Munjaji Pawade,
Age: 32 years, Occ: Agri.,
R/o. Khambegum, Tq. Purna,
Dist. Parbhani.
 2. Suresh s/o Kathalu Shrungarputale,
Age: 44 years, Occ: Agri.,
R/o. Khambegaon, Tq. Purna,
Dist. Parbhani.
- ...Applicants

versus

The State of Maharashtra,
Through Police Station Tadkalas,
Tq. Purna, Dist. Parbhani
Through its Police Inspector.

...Respondent

.....

Mr. S.M. Kshirsagar, Advocate h/f Mr. P.N.Kalani, Advocate for
applicant
Mr. A.S. Shinde, A.P.P. for respondent

.....

CORAM : N.W. SAMBRE, J.

DATE : 8th JUNE, 2016

ORAL ORDER :

The applicants are seeking pre-arrest bail in Crime No. 74 of 2016 registered at Tadkalas Police Station, District Parbhani, for an offence punishable under Sections 327, 143, 147, 149, 323, 504 of Indian Penal Code and under Section 135 of the Bombay Police Act. It is claimed that the alleged incident took place on 24/04/2016 and the first information report is lodged on 25/04/2016.

2. Having perused the investigation papers and having heard respective Counsel for some time, apart from unexplained delay of one day in lodging first information report, it is required to be noted that there are in-differences between the group of complainant and the applicants, as is reflected in the first information report.

3. Apart from above, the story as is narrated of taking out golden ring from the finger of complainant appears to be improbable.

4. In my opinion, false implication cannot be ruled out. Hence, the following order:-

(i) In the event of arrest, the applicants be released on bail in connection with Crime No. 74 of 2016 registered at Tadkalas Police Station, District Parbhani, for an offence punishable under Sections 327, 143, 147, 149, 323, 504 of the Indian Penal Code and under Section 135 of the Bombay Police Act, upon furnishing P.R. bond of Rs.15,000/- with one surety in the like amount, by each of them.

(ii) The applicants shall attend the concerned police station initially on 15th and 16th June, 2016 and thereafter as and when called

by the Investigating Officer.

(iii) The applicants shall not tamper with the prosecution evidence.

5. Criminal Application stands allowed in above terms.

[N.W. SAMBRE, J.]