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

CRIMINAL APPLICATION NO. 2751 OF 2016

1. Ram s/o Tatyrao Jadhav,
2. Mahadeo s/o Kisanrao Shendge,
3. Vijay s/o Vishwanath Shendge,
4. Kailash s/o Bhagwan Gadkar,
5. Mohan s/o Raghunath Bansode,
6. Hemant s/o Raghunath Bansode,
7. Govind s/o Bhagwanrao Ghorpade,
8. Laxman s/o Tatyrao Jadhav ..APPLICANTS

VERSUS

The State of Maharashtra ..RESPONDENT

Mr S. J. Salunke, Advocate for applicants;
Ms. R. P. Gaur, Addl. Public Prosecutor for respondent;
Mr S. B. Bhosale, Advocate to assist Addl. Public Prosecutor

CORAM : N.W. SAMBRE, J.

DATE : 6th June, 2016

ORDER :

Heard.

2. The applicants are seeking their release on regular bail, in connection with the Crime No. 31 of 2016, registered with the Police Station, Ambajogai (Rural), Dist. Beed, for the offences punishable under Sections 295, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal

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Code and under Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocity Act), 1989.

3. The incident in question was took place on 26th April, 2016 and some of the applicants were arrested on 27th April, 2016 and some of them were arrested on 30th April, 2016.

4. While trying to make out a case for grant of regular bail, Mr Salunke learned Counsel appearing on behalf of the applicants submits that the investigation in the matter is almost completed and further detention of the applicants in offence in question is not necessary. He submits that the applicants shall abide by such conditions as may be imposed by this Court.

5. The learned Additional Public Prosecutor, who is assisted by the learned Counsel appearing on behalf of the complainant strenuously opposed the application on the ground that, in case the applicants, who are influential persons, if released on bail, there might be possibility of tampering of evidence. Learned Additional Public Prosecutor then submits that the involvement of the applicants in the crime in question and the fact as regards the differences between two communities, may give rise to law and order situation. He submits that the application for bail be rejected.

6. With the assistance of learned Counsel for respective parties, I have perused the investigation papers.

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7. In my opinion, the custodial interrogation of the applicants in crime in question is already over. Looking to the nature of the crime in question and the allegations against the each of the applicants, it is required to be noted that the applicants deserve to be released on bail. The claim that the applicants have seriously assaulted the complainant and the other victim, appears to be incorrect, as the complainant and other victims have suffered simple injury and the applicants are behind the bar since 27th April and 30th April, 2016.

8. In the above background, in my opinion, the applicants are entitled to be released on bail. Hence I pass following order :-

The applicants be released on bail, in connection with the Crime No. 31 of 2016, registered at Police Station, Ambajogai (Rural), Dist. Beed, for the offences punishable under Sections 295, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code and under Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocity Act), 1989, upon furnishing P.R. Bond of Rs 15,000/-, with one surety in the like amount by each of them. They shall not enter the village, till filing of the chargesheet. They shall not tamper with the prosecution evidence.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)