

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

CRIMINAL APPLICATION NO. 2781 OF 2016

1. Balasaheb @ Dharmraj s/o Laxman Gunjal,
Age: 29 years, Occ: Business,
R/o. Nalwandi Naka, Beed,
Tq. & Dist. Beed.
 2. Amol s/o Ashok Londhe,
Age: 24 years, Occ: Education,
R/o. Shukrawar Peth, Beed,
Tq. & Dist. Beed.
 3. Nitin s/o Vilasrao Garad,
Age: 25 years, Occ: Labour,
R/o. As above.
 4. Babu s/o Vitthal Pawar,
Age: 27 years, Occ: Labour,
R/o. Water Ves, Beed,
Tq. & Dist. Beed.
 5. Krishna s/o Manohar Devkar,
Age: 27 years, Occ: Labour,
R/o. Mauli Nagar, Beed,
Tq. & Dist. Beed.
- ...Applicants

versus

The State of Maharashtra,
through the Police Inspector,
Shivajinagar Police Station,
Beed, Tq. & Dist. Beed.

...Respondent

.....
Mr. Rajendra G. Hange, Advocate for applicants
Mr. A.S. Shinde, A.P.P. for respondent/State
.....

CORAM : N.W. SAMBRE, J.

DATE : 7th JUNE, 2016

ORAL ORDER :

Heard Mr. Hange, learned Counsel for the applicants.

2. The applicants are seeking regular bail in Crime No. 282 of 2016, registered at Shivajinagar Police Station, Beed, for the alleged incident dated 04/04/2016, for which first information report came to be lodged on 05/04/2016, for an offence punishable under Sections 341, 342, 143, 323, 504, 506, 364 of Indian Penal Code and under Section 3/25 of Arms Act.

3. Mr. Hange, learned Counsel for the applicants submits that there is unexplained delay of one day in lodging first information report. According to him, alleged transaction as has been mentioned in the first information report is out of earlier business transaction between the complainant and the applicants. He would then submit that no weapon is recovered from the applicants and the applicants are behind the bar since 06/04/2016. According to him, further detention of the applicants is not necessary, as the investigation qua role attributed to the applicants is almost over.

4. Learned A.P.P. opposed the application on the ground that there is *prima facie* case against the applicants, as statement of the wife of complainant speaks of involvement of the applicants in the crime and cheques were recovered from the custody of the applicants.

5. Having bestowed my thoughts to the submissions made, it is required to be noted that the cheques are already recovered from the present applicants and the applicants are behind the bar since 06/04/2016. There appears to be political angle to the controversy in question.

6. In view of above, in my opinion, further detention of the applicants will be of hardly any assistance to the prosecution.

7. In view thereof, criminal application stands allowed in the following terms:-

(i) The applicants be released on bail in connection with Crime No. 282 of 2016, registered at Shivajinagar Police Station, Beed, for an offence punishable under Sections 341, 342, 143, 323, 504, 506, 364 of Indian Penal Code and under Section 3/25 of Arms Act, upon furnishing P.R. bond of Rs.15,000/- with one surety in the like amount, by each of them.

(ii) Till filing of the charge sheet, the applicants shall not enter the jurisdiction of concerned police station.

[N.W. SAMBRE, J.]