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

CRIMINAL APPLICATION NO.2808 OF 2016

Aruna Bhimrao Wagh & ors.

..APPLICANTS

VERSUS

The State of Mah. & anr.

..RESPONDENTS

Mr N.L. Choudhari, Advocate for applicants;
Mr S.Y. Mahajan, Addl. Public Prosecutor for respondents
Mr Amol S. Sawant, Advocate to assist Additional Public Prosecutor

CORAM : N.W. SAMBRE, J.

DATE : 20th June, 2016

ORAL ORDER :

Heard.

2. By the present application under section 438 of the Code of Criminal Procedure, the applicants seek their release on pre-arrest bail, in connection with C.R. No.52 of 2016, registered with West Deopur police station, District Dhule, for offences punishable under sections 395, 323, 504 and 506 of the Indian Penal Code.

3. The alleged incident took place during a programme organized in the village of which the present applicants are residents. Applicant no.2 appears to be the Sarpanch of the village.

4. From the investigation, it depicts that the applicants are impleaded as accused on the ground that they have assaulted the complainant. There

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is another crime, bearing C.R. No.51 of 2016, registered at the behest of applicant no.1 Aruna against the complainant herein. There appears to be counter complaint and dispute is arising out of village politics as is reflected from the investigation papers. C.R. No.42 of 2016, which is sought to be relied upon for the purpose of opposing bail, in my opinion, will be of hardly any consequence about the grant of prayer for bail, as the said crime is also arising out of the incident as is narrated in the crime in question. Upon perusal of the contents of the first information in C.R. No.42 of 2016, it is noted that there is also background of village politics.

5. In view thereof, the application succeeds. I, therefore, pass following order :-

In the event of arrest of the applicants, in connection with C.R. No.52 of 2016, registered with West Deopur police station, District Dhule, for offences punishable under sections 395, 323, 504 and 506 of the Indian Penal Code, they be released on bail, on each of them furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.

The applicants shall attend the concerned police station on 25th and 26th June, 2016, between 10.00 a.m. and 12 noon and thereafter as and when called.

The applicants shall not tamper with the prosecution evidence/witnesses.

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Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj