

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

**CRIMINAL APPLICATION NO. 2817 OF 2016**

Ankush s/o Ramchandra Kundgir,  
Age: 60 years, Occ: Business,  
Transport Service Jai Bajrang Bali  
Transport, Old Mondha, Nanded,  
District Nanded.

...Applicant

versus

The State of Maharashtra,  
through Police Station  
Vazirabad Nanded,  
District Nanded.

...Respondent

.....  
Mrs. A.M. Kulkarni, Advocate for applicant  
Ms. R.P. Gour, A.P.P. for respondent/State  
.....

**CORAM : N.W. SAMBRE, J.**

**DATE : 7<sup>th</sup> JUNE, 2016**

**ORAL ORDER :**

The applicant is seeking pre-arrest bail in Crime No. 40 of 2016 registered at Vazirabad Police Station, District Nanded for an offence punishable under Sections 307, 323 read with Section 34 of the Indian Penal Code.

2. Mrs. Kulkarni, learned Counsel for the applicant, while trying to make out case for grant of pre-arrest bail, would urge that the applicant is falsely implicated in the crime in question in view of

previous enmity. She would then submit that other two accused who were already arrested are released on bail and custodial interrogation of the applicant is not necessary, particularly having regard to his age and submits that he be released on pre-arrest bail.

3. Learned A.P.P. opposed the application on the ground that there are eye witnesses and victim has suffered grievous injury.

4. Perused the investigation papers. *Prima facie*, it is noticed that there are eye witnesses to the incident and victim has suffered grievous injury.

5. The intention of the applicant of commission of crime is apparent from the role attributed to him.

6. In view thereof, in my opinion, custodial interrogation of the applicant is necessary. As such, criminal application fails, stands rejected.

**[ N.W. SAMBRE, J. ]**