

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3154 OF 2016

- 1] Sayyed Khadir S/o Sayyed Chandpasha
- 2] Sayyed Afsar S/o Sayyed Chandpasha
- 3] Sayyed Khaizer S/o Sayyed Chandpasha .. Applicants

Vs.

The State of Maharashtra .. Respondent

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Mr. M.A. Golegaonkar, Advocate for the applicants
Mr. C.V. Dharurkar, APP for the respondent-State

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CORAM : N.W. SAMBRE, J.

DATE : 27/06/2016

ORAL ORDER :

Heard.

2. The applicants are seeking pre-arrest bail in Crime no.0102 of 2016 registered at Majalgaon Rural Police Station, Dist. Beed for the offences punishable under section 143, 147, 148, 149, 323, 326, 504 of the Indian Penal Code.

3. After hearing, learned counsel for the applicant Shri. Golegaonkar, makes a motion for withdrawal of the prayer for grant of pre-arrest bail on behalf of applicant no.1 - Sayyed Khadir S/o Sayyed Chandpasha. Prayer is granted. Application stands dismissed as withdrawn so far as applicant no.1 - Sayyed Khadir S/o Sayyed Chandpasha, is concerned.

4. So far as applicant nos.2 and 3 are concerned, in my opinion, they are entitled to be released on pre-arrest bail, for the following reasons.

5. There is counter offence being crime no. 91 of 2016 registered at Majalgaon Rural Police Station, Dist. Beed for the offences punishable under section 326, 323, 504, 506 r/w. 34 of the Indian Penal Code against group of the complainant, at the behest of the applicants.

6. Role attributed to the applicant nos.2 and 3, is that of use of bricks.

7. In the above background, in my opinion, custodial interrogation of the applicant no.2-Sayyed Afsar S/o Sayyed Chandpasha and applicant no.3-Sayyed Khaizer S/o Sayyed Chandpasha is not necessary. Hence, the following order :-

8. In the event of the arrest of the applicant no.2-Sayyed Afsar S/o Sayyed Chandpasha and applicant no.3-Sayyed Khaizer S/o Sayyed Chandpasha in Crime no.0102 of 2016 registered with Majalgaon Rural Police Station, Dist. Beed for the offences punishable under section 143, 147, 148, 149, 323, 326, 504 of the Indian Penal Code, they be released on bail upon their executing P.R. bonds in the sum of Rs.15,000/- (Rs. Fifteen Thousand) each with one surety each in the like amount.

9. These applicants shall attend the concerned Police Station on 1st July, 2016 and 2nd July, 2016

between 10 am and 12 noon and, thereafter, as and when called by the Investigating Officer.

10. These applicants shall not tamper with the prosecution evidence or prosecution witnesses.

11. Criminal Application stands disposed of accordingly.

[N.W. SAMBRE]
JUDGE

arp/-