

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

CRIMINAL APPLICATION NO. 3303 OF 2016

1. Sanjay s/o Bhanudas Deobone,
 2. Bhawdya @ Bhausahab Laxman Pitle,
- Both R/o. Kasoda, Tq. Gangapur,
District Aurangabad. ...Applicants

versus

The State of Maharashtra
Through M.I.D.C. Waluj Police Station,
Tq. Gangapur, Dist. Aurangabad & ors. ...Respondents

WITH

CRIMINAL APPLICATION NO. 3304 OF 2016

Kailash s/o Govind Dhotre,
R/o. Kasoda, Tq. Gangapur,
District Aurangabad. ...Applicant

versus

The State of Maharashtra
Through M.I.D.C. Waluj Police Station,
Tq. Gangapur, Dist. Aurangabad & ors. ...Respondents

.....
Mr. A.N. Kakade, Advocate for applicants
Mr. S.J. Salgare, A.P.P. for respondents
.....

CORAM : N.W. SAMBRE, J.

DATE : 29th JUNE, 2016

ORAL ORDER :

Upon instructions, learned Counsel for the applicants
has not pressed the application for grant of pre-arrest bail on behalf

of applicant No. 1 Sanjay s/o Bhanudas Deobone in Criminal Application No. 3303 of 2016, as such, dismissed as not pressed.

2. The applicants are seeking pre-arrest bail in Crime No. 199 of 2016 registered with M.I.D.C. Waluj Police Station, Taluka Gangapur, District Aurangabad, for an offence punishable under Sections 307, 324, 323, 504, 506, 427, 143, 147, 148, 149 of the Indian Penal Code and under Section 135 of the Bombay Police Act.

3. Other similarly placed applicants-accused are already released on pre-arrest bail by this Court vide order dated 15/06/2016 in Criminal Application No. 2796 of 2016. In the said order, one of the consideration was that the applicants were public servants.

4. In my opinion, irrespective of status of being public servants in the said application, for the reasons stated therein, the applicants herein are entitled for bail on the same terms. Hence, the following order :-

(i) In the event of arrest, applicant No. 2 Bhawdya @ Bhausaheb Laxman Pitle in Criminal Application No.3303 of 2016 and applicant Kailash s/o Govind Dhotre in Criminal Application No. 3304 of 2016 be released on bail, in connection with Crime No. 199

of 2016 registered with M.I.D.C. Waluj Police Station, Taluka Gangapur, District Aurangabad, for an offence punishable under Sections 307, 324, 323, 504, 506, 427, 143, 147, 148, 149 of the Indian Penal Code and under Section 135 of the Bombay Police Act, upon furnishing P.R. bond of Rs.15,000/- with one surety in the like amount, by each of them.

(ii) The applicants shall not tamper with the prosecution evidence.

(iii) The applicants shall not enter the territorial jurisdiction of the concerned police station till filing of the charge sheet.

5. Criminal Applications stand disposed of accordingly.

[N.W. SAMBRE, J.]

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