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

CRIMINAL APPLICATION NO.3305 OF 2016

1. Lakhan @ Nitin Rambhau Chormale,

2. Vikas Rambhau Chormale ..APPLICANTS

VERSUS

The State of Maharashtra ..RESPONDENT

Mr R.G. Hange, Advocate for applicants;
Mr S.D. Ghayal, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 4th July, 2016

ORAL ORDER :

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.202 of 2016, registered with City police station, Gevrai, District Beed, for offences punishable under sections 307, 326, 143, 147, 148, 149, 341 of the Indian Penal Code and under section 25 of the Indian Arms Act.

2. Apart from unexplained delay of two days in lodging the first information report, it is required to be noted that C.R. No.200 of 2016 is registered with city police station, Gevrai, on the same day, i.e. 15th May, 2016, at the behest of applicant Bandu Eknath Chormale, against the complainant's group including that of the complainant in C.R. No.202 of

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2016, namely, Bandu Eknath Chormale, for offences punishable under sections 324, 323, 427, 504 read with section 34 of the Indian Penal Code.

3. The role attributed to both the applicants is not that of active participation by use of weapon. In view thereof, in my opinion, custodial interrogation is not necessary. I, therefore, pass following order :-

In the event of arrest of the applicants, in connection with C.R. No.202 of 2016, registered with City police station, Gevrai, District Beed, for offences punishable under sections 307, 326, 143, 147, 148, 149, 341 of the Indian Penal Code and under section 25 of the Indian Arms Act, 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 11th and 12th July, 2016, between 10.00 a.m. and 12 noon and thereafter as and when called by the Investigating Officer.

The applicant shall not enter village Revaki, Taluka Gevrai, District Beed till filing of the charge-sheet.

The applicants shall not tamper with the prosecution evidence or influence the witnesses.

The applicants shall not protract the trial. If it is noticed by the Trial

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Court that the applicants are protracting the trial, the Trial Court, if it so desire, will be at liberty to proceed for cancellation of bail.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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