

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3887 OF 2016

1] Manoj Ramdas Shinde,
Age : 35 years, Occu.: Agriculture

2] Mahesh Ramdas Shinde,
Age : 35 years, Occu.: Agriculture

Both R/o Jamgaon, Tq. Parner,
Dist. Ahmednagar

.. Applicants

Vs.

The State of Maharashtra

.. Respondent

.....

Mr. S.T. Shelke, Advocate for the applicants
Mr. S.Y. Mahajan, APP for the respondent-State
Mr. H.D. Deshmukh, Advocate for assist to APP

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CORAM : N.W. SAMBRE, J.

DATE : 28/07/2016

ORAL ORDER :

Heard.

2. The applicants are seeking regular bail in Crime no. I-91 of 2016 registered at Parner Police Station, Dist. Ahmednagar for the offences punishable under section 326, 323, 504, 506, 143,

147 r/w. 34 of the Indian Penal Code and under section 3/25 of the Arms Act.

3. The prosecution case is that the complainant's she-goats entered the field of the applicants and caused damage to the standing crops.

4. As such, the applicants got annoyed and assaulted the complainant and his family members, thereby causing grievous injuries. As such, crime came to be registered being crime no.I-91 of 2016.

5. While trying to make out case for grant of bail, learned counsel for the applicants Shri Shelke would urge that the applicants are entitled to be released on bail, as the chargesheet in the matter is already filed upon completion of investigation. He would then submit that looking to the background of the narrations in the FIR, role attributed to the applicants is out of sudden provocation. He then

would urge that there are no criminal antecedents and the applicants would be very much available for the trial.

6. Learned A.P.P. opposed the application on the ground that the victim suffered grievous injuries and there are eye witnesses to the incident.

7. Having bestowed thoughts to the submissions made, in my opinion, application for regular bail needs to be allowed for the following reasons :

8. The investigation in the matter is already over.

9. The applicants being owners of the immovable property, are very much available for the investigation and the prosecution.

10. The Application as such stands allowed.

11. The applicants be released on bail in Crime no.I-91 of 2016 registered with Parner Police Station, Dist. Ahmednagar for the offences punishable under section 326, 323, 504, 506, 143, 147 r/w. 34 of the Indian Penal Code and under section 3/25 of the Arms Act, 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.

12. The applicants shall not tamper with the prosecution evidence or influence the witnesses in any manner.

13. Criminal Application stands disposed of accordingly.

[N.W. SAMBRE]
JUDGE

arp/-