

(1)

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

CRIMINAL APPLICATION NO. 3924 OF 2016

Sanjay Kishanrao Walwante,
Age: 32 years, Occ: Agri.,
R/o. Near Khandoba Temple,
Khandoba Bazar, Parbhani. ..APPLICANT

VERSUS

The State of Maharashtra
Through Nnalpeth Police Station,
Parbhani, Dist. Parbhani. ..RESPONDENT

Mr S.H. Jagiasi, Advocate for applicant;
Ms R.P. Gour, Addl. Public Prosecutor for
respondent

CORAM : N.W. SAMBRE, J.

DATE : 4th August, 2016

ORDER :

The applicant is seeking regular bail in
Crime No. 276 of 2016, registered with Nanalpeth
Police Station, District Parbhani, for the offence
punishable under Sections 307, 323, 324, 325, 427,
452, 294, 143, 148, 149 of the Indian Penal Code
with Section 3/25 and 4/25 of the Arms Act and
under Section 135 of the Bombay Police Act.

(2)

2. The applicant was arrested on 17th June, 2016.

3. Learned Counsel for the applicant submits that the applicant is falsely implicated in the crime in question, as he is not named in the first information report. It is only pursuant to the supplementary statement, name of applicant find place without any specific attribution of active role in the commission of crime. He would submit that there are no criminal antecedents against the applicant and further detention of the applicant is not required.

4. Learned A.P.P. opposed the application on the ground that the investigation is still in progress and if he is released on bail, other absconding accused will not co-operate.

5. It is not in dispute that the applicant is not named in the first information report but his name is mentioned in the supplementary statement.

(3)

No specific role is attributed to the applicant. Eye witnesses i.e. complainant, one Mazhar Khan and Azharoddin have not attributed any specific role to the applicant.

6. In view of above, case for grant of bail to the applicant is made out. Hence, the following order :-

(a) The applicant be released on bail, in connection with Crime No. 276 of 2016, registered with Nanalpeth Police Station, District Parbhani, for the offence punishable under Sections 307, 323, 324, 325, 427, 452, 294, 143, 148, 149 of the Indian Penal Code with Section 3/25 and 4/25 of the Arms Act 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.

(b) The applicant shall not enter in to the jurisdiction of concerned police station till filing of the charge sheet.

(4)

7. Criminal Application stands allowed in
above terms.

(N.W. SAMBRE, J.)

Tupe