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

CRIMINAL APPLICATION NO. 4036 OF 2016

1. Sheshrao s/o Baburao Raipure (Patil),
Age: 44 years, Occu: Agri.

2. Gopal s/o Laxman Raipure,
Age: 55 years, Occu: Agri.,

Both R/o. Harsoda, Tq. Malkapur,
Dist. Buldana

..APPLICANTS

VERSUS

The State of Maharashtra

..RESPONDENT

Mr R. N. Dhorde, Senior Advocate instructed by Mr N. K. Chaudhari,
Advocate for applicants;

Mr A. S. Shinde, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 12th August, 2016

ORAL ORDER :

By the present application under section 438 of the Code of Criminal Procedure, the applicants seek their release on bail, in connection with C.R. No.111 of 2016, registered with Muktainagar police station, Dist. Jalgaon, for offences punishable under sections 392, 307, 341 read with section 34 of the Indian Penal Code.

2. Upon perusal of the first information report, the role attributed to applicant no.1 Sheshrao is that he had summoned the complainant and there was altercation between them and as such, the complainant was assaulted by other persons, upon instigation of applicant no.1.

(2)

3. So far as applicant no.2 Gopal is concerned, there is hardly any role attributed in the crime in question, but for his presence.

4. This Court has already recorded reasons for release of co-accused Nilesh on bail in Criminal Application No.4038 of 2016. For the same reasons, in my opinion, the applicants need to be released on pre-arrest bail. I, therefore, pass following order :-

In the event of arrest of the applicants, in connection with C.R. No.111 of 2016, registered with Muktainagar police station, Dist. Jalgaon, for offences punishable under sections 392, 307, 341 read with section 34 of the Indian Penal Code , 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 initially on 20th and 21st August, 2016, between 10.00 a.m. and 12 noon and thereafter as and when called by the Investigating Officer.

The applicants shall not enter the jurisdiction of the concerned police station till filing of the charge-sheet.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj