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

CRIMINAL APPLICATION NO.4256 OF 2015

1. Shantilal Daulat Gomladu,
Age: 60 years, Occu.: Agriculture
2. Prarelal Shantilal Gomladu,
Age: 35 years, Occu.: Agriculture
3. Ranjit Shantilal Gomladu,
Age: 25 years, Occu.: Agriculture
4. Dharasing Jadusing Sihire,
Age: 39 years, Occu.: Agriculture
5. Champalal Shantilal Gomladu,
Age: 28 years, Occu.: Agriculture

Applicant Nos. 1 to 5 R/o: Rajewadi (Kh.)
Tq. Badnapur, District Jalna

6. Yogesh Chandansing Khokad,
Age: 25 years, Occu.: Agriculture
7. Shivsing Dhansing Maher,
Age: 38 years, Occu.: Agriculture
8. Raising Dhansing Maher,
Age: 35 years, Occu.: Agriculture

Applicant Nos. 6 to 8 R/o: Khamgaon,
Tq. Badnapur, District Jalna

..APPLICANTS

VERSUS

The State of Maharashtra

..RESPONDENT

Mr Joydeep Chatterji, Advocate for applicants;
Mr A. S. Shinde, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 10th August, 2016

(2)

ORAL ORDER :

Heard.

2. By the present application under section 439 of the Code of Criminal Procedure, the applicants are seeking their release on bail, in connection with C.R. No.I-151 of 2016, registered with Badnapur police station, Dist. Jalna, for offences punishable under sections 307, 324, 147, 143, 148, 149, 323 and 506 of the Indian Penal Code.

2. Applicants no.1, 5, 6, 7 and 8 were arrested on 5th July, 2016 and applicants no.2 to 4 were arrested on 30th June, 2016.

3. It is not in dispute that apart from delay in lodging the first information report, the applicants' custodial interrogation is already over. C.R. No.149 of 2016, for offences punishable under sections 307, 143, 147, 148 and 149 of the Indian Penal Code is registered at the behest of Shantilal, i.e. applicant no.1 against the complainant, in which the main victim Chandan is claimed to have assaulted applicant no.1 by an axe.

4. Perused the investigation papers.

5. Apart from the counter crime, a civil dispute is pending between the parties.

6. In view of above, in my opinion, further detention of the applicants will hardly be of any assistance, particularly when false implication of the applicants cannot be ruled out, in view of existing civil dispute.

7. In view thereof, the applicants deserve to be released on bail. I, therefore, pass following order :-

The applicants be released on bail, in connection with C.R. No.I-151 of 2016, registered with Badnapur police station, Dist. Jalna, for offences

(3)

punishable under sections 307, 324, 147, 143, 148, 149, 323 and 506 of the Indian Penal Code, on each of them furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.

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

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj