

(1)

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

CRIMINAL APPLICATION NO.4264 OF 2016

1. Subhash s/o Ramchandra Vidhate,
Age : 65 years, Occu.Agriculture,
2. Pravin s/o Subhash Vidhate,
Age : 34 years, Occu.Agriculture,
3. Vijay s/o Subhash Vidhate,
Age : 30 years, Occu. Service,

All R/o Babhulkheda, Tq. Newasa,
Dist. Ahmednagar

..APPLICANTS

VERSUS

The State of Maharashtra,
Through Police Inspector,
Police Station Newasa,
Tq. Newasa, Dist. Ahmednagar

..RESPONDENT

Mr P.V. Ambade, Advocate for applicants;
Mr C.V. Dharurkar, Addl. Public Prosecutor for respondent

CORAM : A.S. CHANDURKAR, J.

DATE : 15th November, 2016

ORAL ORDER :

Heard.

2. The applicants apprehend arrest with regard to C.R. No.I-190 of 2016, registered at police station, Newasa, Dist. Ahmednagar, for offences punishable under sections 326, 324, 447, 323, 504, 506 read with section 34 of the Indian Penal Code.

(2)

3. According to the learned Counsel for the applicants, there are civil disputes pending between the parties with regard to the aspect of possession of an agricultural field. According to the applicants, as civil disputes are pending between the parties, they have been falsely implicated by the complainant.

4. The application is opposed by the learned Addl. Public Prosecutor by relying upon the police papers. It is submitted that the injury certificate indicates nature of injuries sustained by the complainant and reference is also made to the specific role attributed to all the accused.

5. Having perused the first information report along with the papers of investigation, it can be seen that insofar as applicant no.3 is concerned, a specific role of he assaulting the complainant on the head has been attributed. Injury certificate indicates grievous injury on the head. Insofar as applicants no.1 & 2 are concerned, role attributed is of assault.

6. In this background and considering the observations made in the earlier order dated 3rd August, 2016, the following order is passed :-

Insofar as applicants no.1 & 2 are concerned, the interim order dated 3rd August, 2016 granting them ad interim bail, is confirmed on the same terms and conditions.

(3)

In the event of arrest of the applicants no.1 and 2, in connection with C.R. No.I-190 of 2016, registered with police station, Newasa, Tq. Newasa, Dist. Ahmednagar, for offences punishable under sections 326, 324, 447, 323, 504, 506 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 application insofar as applicant No.3 is concerned, the same stands rejected.

Application is disposed of in above terms.

(A.S. CHANDURKAR, J.)

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