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

CRIMINAL APPLICATION NO.4502 OF 2015

Ramdas s/o Narayan Satre

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr S.S. Panale, Advocate for applicant;

Mr U.S. Mote, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 14th January, 2016

ORDER :

By the present application under section 439 of the Code of Criminal Procedure, the applicant seeks his release on bail, in connection with C.R. No.I-90 of 2015, registered with Police Station, Rahuri, Tq. Rahuri, Dist. Ahmednagar, for offences punishable under sections 395, 307, 452, 354 (A), 355, 324, 323, 504 and 506 of the Indian Penal Code.

2. It is the submission of the learned Counsel appearing on behalf of the applicant that the investigation in the matter is complete and charge-sheet is already filed. He would then urge that, upon perusal of the first information report and the investigation papers, it is to be noted that but for the presence of the applicant on the spot of the incident, there is no specific role attributed to him.

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3. While opposing the application, learned Addl. Public Prosecutor would submit that having regard to the seriousness of the offence and the material available on record, *prima facie* involvement of the applicant in commission of the offence can be inferred.

4. In the background of above referred submissions, in my opinion, the applicant is entitled to be enlarged on bail, for the reason that other similarly placed accused are already released on bail by this Court, vide order dated 11th January, 2016, passed in Criminal Misc. Application Nos. 6604 of 2015, 6107 of 2015, 5729 of 2015 and 5782 of 2015. Furthermore, perusal of the first information report and other investigation papers depicts that the role attributed to the applicant is only in respect of his presence at the scene of the incident and no specific role is attributed to him as regards his involvement in commission of the offence. The applicant is behind bars for a considerable long time.

5. In view thereof, in my opinion, it will be appropriate to enlarge the applicant on bail. Thus, the following order :-

The applicant be released on bail, in connection with C.R. No.I-90 of 2015, registered with Police Station, Rahuri, Tq. Rahuri, Dist. Ahmednagar, for offences punishable under sections 395, 307, 452, 354 (A), 355, 324, 323, 504 and 506 of the Indian Penal Code, on furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.

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Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj