

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 6013 OF 2016

Sushilabai W/o Mahadu Bhutkar,
Age : 64 years, Occu.: Household,
R/o Dhamangaon, Tq. Basmath,
District - Hingoli .. Applicant

Vs.

The State of Maharashtra,
Through Police Inspector,
Police Sttaion Kurunda,
Tq. Basmath, Dist. Hingoli .. Respondent

Mr. G.K. Thigale (Naik), Advocate for the applicant
Mr. R.V. Dasalkar, APP for the respondent/State

CORAM : A.S. CHANDURKAR, J.
DATE : 24/11/2016

ORAL ORDER :

Heard.

2. The applicant apprehends arrest in connection with Crime no. 64 of 2016 registered at Kurunda Police Station, Tq. Basmath, Dist. Hingoli for the offences punishable under Section 307, 325, 452, 323, 504, 506 r/w. 34 of the Indian Penal Code.

3. As per the FIR dated 3/9/2016, there was a

dispute between two neighbouring families in connection with damage to a pipeline. It is stated that three male members of Bhutkar family assaulted the informant, resulting in grievous injury. Sofar as present applicant is concerned, it is stated that she had abused the informant and had hit him with a stone.

4. It is submitted on behalf of the applicant by her learned counsel that applicant is aged about 64 years. The only act alleged is of abuses and throwing of stone. The acts resulting in injury, are at the instance of other accused. Therefore, it is submitted that considering the age of the applicant, she is entitled for protection.

5. The application is opposed by learned Additional Public Prosecutor by relying upon the police papers. He has referred to statements of witnesses recorded.

6. Considering the overt acts attributed to the male members of the offending family and considering the fact that the applicant, who is aged about 64 years, is

stated to have abused the informant and has thrown a stone towards him, I am inclined to grant protection to the present applicant. Hence, the following order :-

ORDER

I) Criminal Application is allowed.

II) In the event of applicant's arrest in connection with Crime no. 64 of 2016 registered at Kurunda Police Station, Tq. Basmath, Dist. Hingoli for the offences punishable under Section 307, 325, 452, 323, 504, 506 r/w. 34 of the Indian Penal Code, she be released on bail, upon furnishing P.R. bond of Rs.15,000/- (Rs. Fifteen Thousand) with one surety in the like amount.

III) The applicant shall attend the concerned Police Station, as and when directed by the Investigating Officer.

IV) No steps shall be taken by the applicant to tamper with the material collected by the prosecution.

7. Observations made in this order are only for the purposes of deciding the present Application.

8. Criminal Application is accordingly allowed and disposed of.

[A.S. CHANDURKAR]
JUDGE

arp/