

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

CRIMINAL APPLICATION NO.6201 OF 2015

1. Machindra s/o Subhash Nimse,
Age 38 years, Occu. Agri.,

2. Subhash s/o Trimbak Nimse,
Age 60 years, Occu. Agri.,

Both r/o Walunj, Taluka Nagar,
District Ahmednagar

..Applicants

Versus

. The State of Maharashtra,
through Police Station Officer,
Nagar Taluka Police Station,
Taluka Nagar, Dist. Ahmednagar

..Respondent

Mr N.V. Gaware, Advocate for applicants
Mr M.M. Nerlikar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 11th January 2016

PER COURT

Heard.

.2. The applicants are seeking pre-arrest bail in Crime No.I-188/2015, registered at Nagar Taluka Police Station, District Ahmednagar, for the offences punishable under Sections 307, 325, 324, 143, 147, 148, 149, 323, 504, 506 and 427 of the Indian Penal Code and under Sections 4/25 of the Arms Act and under Section 37(1) (3) and 135 of the Bombay Police Act.

3. Apart from delay of one day in lodging the F.I.R., learned Counsel for the applicants would urge that the allegations against the

applicants appear to be improbable as all the family members of the applicants are impleaded as accused. He would then urge that the custodial interrogation of the applicants is not necessary.

4. Learned A.P.P. opposed the application for bail on the ground that there is medical evidence on the record which depicts simple injuries to the persons assaulted.

5. Perused the investigation papers and the contents of F.I.R. Looking to the nature of allegations that the four persons including the applicants are alleged to have assaulted one Suresh and the corresponding injury to Suresh noticed to be simple one, and the narrations in the F.I.R., the application deserves to be allowed.

6. As such, in the event of their arrest in Crime No. I-188/2015, registered at Nagar Taluka Police Station, District Ahmednagar, for the offences punishable under Sections 307, 325, 324, 143, 147, 148, 149, 323, 504, 506 and 427 of the Indian Penal Code and under Sections 4/25 of the Arms Act and under Section 37(1) (3) and 135 of the Bombay Police Act, the applicants be released on bail, upon furnishing P.R. Bond of Rs.15,000/- (Rs. Fifteen thousand) with one surety in the like amount, by each of them..

7. The applicants shall attend the concerned Police Station on 18th and 19th January 2016 between 10.00 a.m. and 12.00 noon and thereafter as and when called by the Investigating Officer.

8. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

vvr