

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

CRIMINAL APPLICATION NO.6534 OF 2015

1. Dhiraj s/o Fulchand Gogle,
Age 38 years, Occu.Business,
R/o Aadarsh Nagar,
Borudgaon road, Fulsundar
Mala, Ahmednagar,
Taluka and Dist. Ahmednagar
2. Shankar s/o Supdaji Wagh,
Age 36 years, Occu. Business
3. Uddhav s/o Laxman Rajdev,
Age 28 years, Occu. Driver,
Applicant No.2 and 3 r/o
Bakalwar Nagar, Waluj,
Taluka and Dist. Aurnagabad .. Applicants

Versus

- . The State of Maharashtra
Through P.I./Investigation Officer,
Waluj M.I.D.C. Police Station,
Aurangabad ..Respondent

Mr N.B. Narwade, Advocate for applicants
Mr S.Y. Mahajan, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 13th January 2016

PER COURT

Heard.

2. So far as applicant No.1 Dhiraj is concerned, in view of pendency of Crime Nos.64 of 2015 and 39 of 2015, upon instructions, his application is dismissed as withdrawn.

3. So far as applicants No.2 and 3 are concerned, it is noted that there are criminal antecedents. This Court has already granted bail to

the similarly placed accused by order dated 28th October 2015 in Criminal Application No.5146 of 2015.

4. In this background, since further custodial interrogation of the applicants is not necessary, as the vehicle, which was used was recovered from applicant No.2 and applicant No.3 was driver of the same, the applicants are entitled to be released on bail. Hence, I proceed to pass the following order.

(I) The applicants No.2 – Shankar Supdaji Wagh and applicant No.3 – Uddhav Laxman Rajdev be released on bail, upon executing P.R. Bond of Rs.25,000/- (Rs. Twenty five thousand) with one surety in the like amount, in connection with Crime No.I-231/2015 registered at M.I.D.C. Waluj Police Station, District Aurangabad for the offence punishable under Sections 399, 402 of the Indian Penal Code.

(II) The applicants shall keep themselves away from the jurisdiction of area of Commissionerate, Aurangabad till filing of charge-sheet, but for investigation purpose.

(III) The applicants shall furnish their addresses and contact numbers to the Investigating Officer.

5. In case the applicants who are ordered to be released on bail indulge into similar type of incident, the prosecution will be at liberty to seek cancellation of their bail.

5. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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