

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

CRIMINAL APPLICATION NO. 6989 OF 2015

1. Dnyandeo Devchand Walture,
2. Kaveri Dnyandeo Walture,
3. Bhausahab @ Babasaheb Kashinath Kature,
4. Akki @ Alka Ashok Walture,

All R/o. Newargaon, Tq. Gangapur,
District Aurangabad.

...Applicants

versus

The State of Maharashtra & ors

...Respondents

.....
Mr. D.R. Adhav , Advocate for applicants
Mr. S.M. Ganachari, A.P.P. for respondents
.....

CORAM : N.W. SAMBRE, J.

DATE : 22nd JANUARY, 2016

ORAL ORDER :

Learned Counsel for the applicants, upon instructions, does not press the application of applicant No. 1 Dnyandeo Devchand Walture for grant of pre-arrest bail. As such, his application is dismissed, as withdrawn.

2. The applicants are seeking pre-arrest bail in Crime No. I-225 of 2015 registered with Gangapur Police Station, Taluka

Gangapur, District Aurangabad for the offence punishable under Sections 452, 392, 323, 504, 506 read with Section 34 of Indian Penal Code.

3. Learned Counsel for the applicants submits that the applicants are falsely implicated in the crime so as to give counter-blast to their complaint in Crime No. I-224 of 2015 registered on the same day for the offence punishable under Sections 394, 341, 323 read with Section 34 of Indian Penal Code.

4. Learned A.P.P. opposed the application on the ground that there are eye witnesses to the incident.

5. In view of applicant No.1 Dnyandeo's application is not pressed and rejected, in my opinion, looking to the nature of the allegations against remaining applicants and in view of registration of counter F.I.R. in Crime No. I-224 of 2015 on 29/11/2015 against the complainant at the behest of applicants, the applicants are entitled for pre-arrest bail. Hence, the following order.

In the event of arrest, applicant No. 2 Kaveri Dnyandeo Walture, applicant No. 3 Bhausaheb @ Babasaheb Kashinath Kature and applicant No. 4 Akki @ Alka Ashok Walture be released on bail in

connection with Crime No. I-225 of 2015 registered with Gangapur Police Station, Taluka Gangapur, District Aurangabad for the offence punishable under Sections 452, 392, 323, 504, 506 read with Section 34 of Indian Penal Code, upon executing P.R. bond of Rs.15,000/- with one surety in the like amount, by each of them. The applicants shall attend the concerned police station on 27th and 28th January, 2016 in between 10-00 a.m. to 12-00 noon and thereafter as and when called for by Investigating Officer.

6. The application is allowed in above terms.

[N.W. SAMBRE, J.]