

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL BAIL APPLICATION NO.2561 OF 2016

Manoj Vitthal Gode & Ors.	...	Applicants
V/s.		
The State of Maharashtra	...	Respondent

**WITH
CRIMINAL BAIL APPLICATION NO.2562 OF 2016**

Sachin Narayan Chorghe & Anr.	...	Applicants
V/s.		
The State of Maharashtra	...	Respondent.

.....

Mr. Sagar Kasar, Advocate for the Applicants.
Ms. R.M.Gadhvi, APP for the Respondent/State.

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CORAM : N.W.SAMBRE, J.

DATED : 20th December, 2016.

P.C.

1 In both these applications, applicants who are arrested either on 17th June or 18th July, 2016 are seeking regular bail. The grounds for seeking regular bail are that the Applicants are already interrogated. Investigation is over and charge-sheet is already filed. It is then claimed that in the absence of antecedents, applicants who are similarly placed like that of co-accused who are already released on bail be ordered to be released.

2 The learned APP opposed the application and invited my attention to the statements of eye witnesses and injury certificates.

3 As this Court is not inclined to grant bail to the Applicant Sachin Narayan Chorghe- Accused No.1 in Bail Application No.2562 of 2016 and Manoj Vitthal Gode- Accused No.2 in Bail Application No.2561 of 2016 and respective applications only to their extent is not pressed as such the same is dismissed as withdrawn.

4 So far as rest of the applicants are concerned, apart from plea of parity, what could be noticed is investigation in the matter is already over. Allegation against the applicants is use of stick in the commission of crime which in my opinion, cannot be termed as deadly weapon. There are no criminal antecedents and their custodial interrogation is already over.

5 The involvement of the applicants is in the background of the outcome of Gram Panchayat Election as such is a political rivalry between the complainant and the applicants is apparent as such false implication cannot be ruled out. In view thereof, Applicants shall be released on executing PR Bond of Rs.25,000/- each with one or two sureties in the like amount. Two consecutive absence of the applicants before the lower Court shall entail for cancellation of their bail. They shall not tamper with evidence and/or influence the witnesses.

6 Applications stand disposed of.

(N.W.SAMBRE, J.)