

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 124 OF 2016

(SURESH RAJESHAM INDURI & 3 OTH...VS..STATE OF MAH. THR. PSO PS BAMNI, DIST.
GADCHIROLI)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : MARCH 22, 2016.

Heard Shri R.S.Kurekar, advocate for the applicants and Shri S.S.Doifode, A.P.P. for the non-applicant.

The applicants along with co-accused are arrested in the crime registered against them for the offences punishable under Sections 395, 506 and 323 of the Indian Penal Code.

The crime is registered on the complaint of Sadanandan Chintawar that in the night between 14th October, 2015 and 15th October, 2015 at about 12.30 p.m. when he was returning from Aheri along with his son, Mahesh Gade, Malna Gade and Ramesh Narvedi in Bolero, the applicants and co-accused who were holding sticks and torch light, stopped the vehicle, caught the complainant and assaulted him by sticks and demanded the amount. It is alleged that accused Suresh and Bapu Rahim forcibly took away Rs.5,000/- from the pocket of the complainant and the other accused threatened the complainant to give the entire amount and demanded Rs.50,000/-. It is alleged that Mallaya Ramayya who also came there at that time was asked to bring Rs.15,000/-. It is alleged that Malayya went to his house and brought the amount and gave it to accused Suresh Induri. It is alleged that Mahesh, driver was also asked to bring Rs.10,000/- which he brought and gave it to accused

Bapu Rahim. It is alleged that accused persons allowed the complainant and others to go after the amount was given to them.

It is alleged that the incident had taken place in the night between 14th October, 2015 and 15th October, 2015, however, the complaint was filed on 16th October, 2015. The charge-sheet is filed on 14th January, 2016. Considering the nature of accusations, the facts on record and as the non-applicant has not been able to show that the custody of the applicants is required for further investigation, in my view, the applicants are entitled to be released on bail.

Hence, the following order :

- i) The applicants having been arrested in Crime No. 7 of 2015, registered by the non-applicant, the applicants be released on bail on furnishing P.R. bond for Rs.Ten Thousand each and one solvent surety in the like amount for each of the applicant.
- ii) The applicants shall attend every date of the sessions trial before the Sessions Court, unless granted exemption by the Sessions Court.

The application is **allowed** in the above terms.

CRI.APPLN.(APPP) NO.236/2016.

In view of disposal of the main application the application for dispensing with affidavit does not survive, hence, it is disposed of.

JUDGE