

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

CRIMINAL APPLICATION (BA) NO.353 OF 2016

Amol S/o Maroti Kurle and anr

..vs..

State of Mah., thr P.S.O., P.S., Mukutban, Tahsil Zari, Distt. Yavatmal

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

Court's or Judge's Order

Shri P.S. Dhore, Advocate for the applicants.

Shri N.S. Khubalkar, Addl.P.P. for the non-applicant/State.

CORAM : Z.A. HAQ, J.

DATED : APRIL 29, 2016.

Heard Shri A.S. Dhore, Advocate for the
applicants and Shri N.S. Khubalkar, Additional Public
Prosecutor for the non-applicant/State.

The learned Additional Public Prosecutor
sought time to file the reply. However, the learned
Advocate for the applicants has pointed out the copy of
the reply filed by the Additional Public Prosecutor
before the Sessions Court and has submitted that it may
be considered for deciding the application.

The applicants are arrested on 18.3.2016 in
crime registered against several persons (including the
applicants) for offence punishable under Sections 143,
147, 149, 307, 323 and 325 of the Indian Penal Code
read with Section 3 of the Government Property

Defacement Act.

The crime is registered on the report of the Range Forest Officer that about 150 villagers had assembled near the office of the informant and assaulted the officials and other staff to rescue two persons who were detained in connection with forest crime. It is alleged that the mob acted as per the directions of the applicants who are influential persons.

With the assistance of the learned Advocate for the applicants and learned Additional Public Prosecutor, I have seen the First Information Report and the reply filed by the prosecution before the Sessions Court.

The reply filed by the prosecution before the Sessions Court does not show that the non-applicant has been able to establish that the custody of the applicants is required for further investigation.

Considering the nature of accusations against the applicants and the facts on record, in my view, the applicants are entitled to be released on bail.

Hence, the following order:-

The applicants having been arrested in Crime No.47 of 2016 registered by the non-applicant, the applicants be released on bail on furnishing P.R. Bond for Rs.20,000/- each and one solvent surety in the

like amount for each of the applicant.

The application is allowed in the above terms.

JUDGE

!! BRW !!

...../-