

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

**CRIMINAL APPLICATION NO. 1750 OF 2017**

Arial @ Ajay @ Aryan s/o Kadu  
Kale, Age 22 years, Occ. ... **Applicant**  
Agriculture, R/o. Yesgaon  
(Dighi Gayran) Tq. Gangapur,  
District Aurangabad.

**VERSUS**

The State of Maharashtra, ... **Respondent**  
Through : Police Inspector  
Gangapur Police Station, Tq.  
Gangapur, Dist. Aurangabad.

Mr. A. S. Kulkarni, Advocate for the applicant  
Mr. A.S. Shinde, APP for the State.

**CORAM : K. L. WADANE, J.**

**DATE : 10<sup>th</sup> JULY, 2017**

**ORDER:**

1. Heard Mr. Kulkarni, learned counsel appearing for the applicant and Mr. Shinde, learned APP appearing for the respondent-State.

2. Perused the papers of investigation. Informant Laxmikant lodged complaint against six unknown persons on 19.01.2014 at Gangapur police

station alleging that, the complainant along with other persons were travelling on a motor-cycle on Ahmednagar to Aurangabad road. At about 10 p.m. they were attacked by six unknown persons, who later on assaulted the complainant and his other two colleagues and took mobile phone and cash amount from them. As the complainant could not run away from the spot, he called the concerned police station immediately. On this complaint crime is registered against six unknown persons. After completion of investigation charge-sheet was filed. The bail application of the applicant was rejected on the ground that he was absconding for a period of one year. Hence, present application.

3. Learned counsel Mr. Kulkarni appearing for the applicant submits that, the applicant was in Yerwada Jail in connection with crime registered against him in Pune District. Therefore, he was not absconding.

4. I have perused the statements in supplementary charge-sheet. On perusal of the same, it appears that there is absolutely no evidence

against the present applicant. The applicant has produced his residence proof i.e. the residence certificate issued by Sarpanch, Grampanchayat Waluj Tq. Gangapur, from which it appears that, he is residing there since last 10 years. Therefore, on certain conditions, the applicant can be released on bail. Hence, pass following order.

**O R D E R**

(1) The applicant shall be released on bail in connection with Crime No. I-271/2014, registered with Gangapur Police Station, District Aurangabad, on his executing P.R. Bond of Rs. 5,000/- [Rs. five thousand only] with one solvent surety in the like amount.

(2) The applicant shall attend the police station Gangapur once in a month i.e. on first Monday between 10 a.m. to 12 noon, till conclusion of the trial.

5. Criminal applications disposed of.

**(K. L. WADANE, J.)**

mkd/-