

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2287 OF 2017

Paresh Suryanarayan Gajabi, Age 24 **Applicant**
Years, Occ. Education, R/o. Swami
Dyananad Road, Moti Building, Jalna

V E R S U S

The State of Maharashtra, through **Respondent**
Jawahar Nagar Police Station,
Aurangabad

WITH

CRIMINAL APPLICATION NO. 2286 OF 2017

Rahul Prakash Agrawal, Age 22 Years, **Applicant**
Occ. Education, R/o. Kalyani
Apartment, Ajanta Nagar, Jalna

V E R S U S

The State of Maharashtra, through **Respondent**
Jawahar Nagar Police Station,
Aurangabad

Mr. V.A. Bagdiya, Advocate for the Applicants
Mr. P.N. Kutti, A.P.P. for the respondent/State

CORAM : K.L. WADANE, J.

DATE : 12TH JUNE, 2017

ORDER :

1. The present application is filed under
Section 438 of the Criminal Procedure Code for grant

of anticipatory bail.

2. The present crime bearing No.0139 of 2017 is registered at Jawahar Nagar Police Station, Aurangabad for the offence punishable under Section 302, 364, 504, 506 read with Section 34 of the Indian Penal Code.

3. It is alleged by the complainant Ganesh Waware that applicant called his son Manish to Nasik, but his son did not return back to home. The complainant has taken search of Manish, but failed to see him. Therefore, he submitted report in that regard to Railway Station, Aurangabad. On 31st December, 2015, police informed the complainant that dead-body of his son Manish has been found near Aurangabad-Shivajinagar railway track.

4. Perused the papers of investigation. It is the case of prosecution that the incident took place on 29th December, 2015. Initially the accident case had been registered. It was investigated.

Considering the date of the complaint and the date of incident, it appears that the inordinate delay has been caused. No satisfactory explanation has been given by the complainant.

5. Learned A.P.P. opposed the anticipatory bail to the applicants on the ground that the nature of offence is serious one and custody of the applicant is required for investigation.

6. Considering the date of incident and there are no specific allegations against the present applicant. Therefore, in view of the above circumstances, following order :-

O R D E R

1. Both Criminal Applications are allowed.

2. In the event of arrest of applicants in connection with Crime No.0139 of 2017,

registered with Jawahar Nagar Police Station, District Aurangabad, for the offence punishable under Sections 302, 364, 504, 506 read with Section 34 of the Indian Penal code, they be released on bail on furnishing P.R. bond of Rs.25,000/- (Rupees Fifteen Thousand) each with one surety in the like amount.

3. The applicants shall co-operate the investigation and they should appear before the concerned police station as and when called by the Investigating Officer till completion of the investigation.

4. Both Criminal applications are disposed of.

(K.L. WADANE, J.)