

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

CRIMINAL APPLICATION NO.2412 OF 2017

1. Navnath Dattatraya Kanhe **... Applicant**
Age 23 years, Occu: Agri,
R/o Parner Tq. Parner
Dist. Ahmednagar
2. Sandip Dnyaneshwar Ghodke
Age 27 years, Occu: Agri
3. Swapnil Bansi Chede
Age 26 years, Occu: Agri.
All r/o R/o Parner Tq. Parner
Dist. Ahmednagar

VERSUS

1. The State of Maharashtra, **... Respondents**
Through Police Station Officer,
Parner Police Station, Tq. Parner
Dist. Ahmednagar
2. The Superintendent of Police,
Ahmednagar, Dist. Ahmednagar

Mr. N. B. Suryawanshi h/for Mr. B. P. Suryawanshi,
Advocate for the applicants

Mr. P. N.Kutti, APP for the State.

CORAM : K. L. WADANE, J.

DATE : 8th June, 2017

ORDER:

1. Heard Mr. Suryawanshi, learned counsel for the applicants and Mr. Kutti, learned APP for the State. Perused the papers of investigation.

2. Present Criminal Application is filed for grant of anticipatory bail in connection with Crime No. I-49/2017 registered with Parner Police Station, Dist. Ahmednagar for the offences punishable under sections

341, 324, 395 of the Indian Penal Code, 1860.

3. From the first information report and statements of witnesses namely Sagar Govind and others, it reveals that other accused assaulted the informant with the help of stick. There is also allegation that accused persons snatched an amount of Rs.6000/- from the pocket of the complainant. During investigation, another accused Ramesh and Rahul were arrested. Weapons used in the crime were recovered from the accused. Now the Investigating Officer wants custody of the present applicants for the purpose of recovery of amount of Rs.6,000/-. However, from the contents of the first information report as well as statement of witnesses, nowhere it is made clear that amongst five accused persons, as to who has snatched the amount of Rs.6,000/-. It is practically impossible that all of them together snatched Rs.6000/- from the pocket of the complainant.

4. Looking to the occasions as against the present applicants, it appears that allegations against them are only of assault and such allegations are vague and general in nature. Considering the nature of accusation and the offence, I am of the opinion that

custodial interrogation of the applicants is not needed. In such circumstance, the applicants can be enlarged on pre-arrest bail by putting certain conditions. Hence following order:

O R D E R

- i. In the event of arrest of the applicants in connection with Crime No. I-49/2017 registered with Parner Police Station, Dist. Ahmednagar, they shall be released on bail on their executing P.R. Bond of Rs. 25,000/- [Rs. Twenty five thousand only] with one solvent surety in the like amount.
 - ii. The applicants shall not tamper with the prosecution evidence in any manner and cooperate in the further investigation.
 - iii. The applicant shall attend Parner Police Station, Dist. Ahmednagar once in a week i.e. on every Sunday between 12.00 noon to 2.00 p.m, till filing of the charge sheet.
5. Criminal application is disposed of.

(K. L. WADANE, J.)

JPC