

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

CRIMINAL APPLICATION NO. 2604 OF 2017

Shaikh Chotumiya Shaikh
Khajamiya @ Pappu Shaikh, Age ... **Applicant**
24 years, Occ. Labour, R/o.
Mirwat, Tq. Partli Vaijinath,
Dist. Beed.

VERSUS

- | | | |
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| 1 | The State of Maharashtra
Through Police Station Parali ...
City, Tq. Parali Vaijinath,
Dist. Beed. | Respondents |
| 2 | Satish Marotirao Shinde, Age 31
years, Occ. Business, R/o.
Ganeshpar, Parali (V) Tq.
Parali (V) Dist. Beed. | |

Mr. S.G. Kawade , Advocate for the applicant
Mr. S. J. Salgare, APP for the respondent/State.
Mr. Umakant P. Giri, Advocate for the respondent No.
2/ Original complainant.

CORAM : K. L. WADANE, J.

DATE : 22nd June, 2017

ORDER:

1. Heard Mr. Kavade, learned counsel for the applicant and Mr. S.J. Salgare, learned APP for the respondent/State and Mr. U.P. Giri, learned counsel for respondent No. 3.

2. This is an application under section 439 of the Code of Criminal Procedure in connection with Crime No. 196/2017 registered with Parali City Police Station District Beed for the offences punishable under section 143, 379, 427, 506 of the Indian Penal Code and Section 3(1)(r)(s) of the Scheduled Casts & Scheduled Tribes (Prevention of Attrocities) Act, 1989.

3. The informant namely Satish Shinde filed complaint against the present applicant and other four persons on 25.4.2017 alleging that he received the information from Balaji Gaikwad, that the accused persons entered into his shop from back side and destroyed the equipments and stolen LCD and cleaning machine. At that time the accused persons threatened on the cast to the Balaji Gaikwad. On the basis of allegations, the offence came to be registered at police station Parali (City)

4. Perused the contents in the first information report and statement of witnesses. So also, the applicant was arrested on 3.5.2017 and was in P.C.R. till 08.05.2017 and thereafter remanded in M.C.R.

Looking to the above aspect, the applicant was available for the custodial interrogation. Furthermore, the Mr. Kavade, learned advocate for the applicant submits that, other four accused persons are released on anticipatory bail by the learned Additional Sessions Judge, Ambejogai by its order dated 16.06.2017. He further submits that, all the accused persons including present applicant have filed Criminal Writ petition NO. 660/2017 wherein following order is passed-

“Interim relief to continue”.

5. Considering the fact that other accused persons are released on anticipatory bail, therefore, the applicant-accused is entitled for bail. Hence, following order :

O R D E R

- (1) The applicant shall be released on bail in connection with Crime No.196/2017, registered with Police Station Parali (City) Tq. Parali, Dist. Beed, on his executing P.R. Bond of Rs. 10,000/- [Rs. ten thousand only] with one

solvent surety in the like amount.

(2) Authenticated copy be supplied.

(3) Hamdast allowed.

6. Criminal applications disposed of.

(K. L. WADANE, J.)