

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2763 OF 2017

- 1) Baliram s/o Baburao Kardile, Age ... **Applicants**
50 years, Occ. Agriculture.
- 2) Jagdish s/o Ajinath Kardile, Age
26 years, Occ. Service, Both R/o.
Kada, Tq.Ashti, Dist. Beed.

V E R S U S

The State of Maharashtra, **Respondent**
Through : Police Station Officer
Ashti, Tq. Ashti, District Beed.

Mr. N. V. Gaware , Advocate for the Applicants
Mr. A.A. Jakatkar, A.P.P. for the respondent/State

CORAM : K.L. WADANE, J.

DATE : 04th JULY, 2017

ORDER :

1. The present application is filed by the applicants in connection with Crime No. 161/2017 registered with Ashti Police Station, District Beed for the offences punishable under section 143, 147, 148, 149, 384, 307, 327, 506 of the Indian Penal Code and under section 3/25 of the Arms Act.

2. Statement of the injured Sampat Sangale was

recorded at Ahmednagar, in the hospital. He stated that, on 24.4.2017 at about 10.30 a.m., in front of S.T. Stand Kada, applicants and other persons came there with iron rod, sticks in their hand. They abused and beat him. Another accused Shivdas threatened the informant by pointing revolver and demanded ransom of Rs. 10,000/-, accused Ajinath also assaulted the informant. On the basis of the information, crime is registered as referred above.

3. Heard Mr. Gaware, learned counsel appearing for the applicants and Mr. A. A. Jakatkar, learned APP for the respondent-State.

4. I have gone through the contents of the first information report as well as the statement of witnesses including statement of eye witness Shyam. On perusal of the same, it appears that, there was no specific role attributed to the applicants No. 1 and 2. The allegations against them are vague and general in nature. The main allegations about assault and demanding ransom are against the other accused persons.

5. Looking to the nature of the allegations and the fact that no specific role is attributed to the applicants, the question of recovery of any weapons from their possession does not arise. In view of the above, applicants can be protected from their arrest. Hence, pass following order :

O R D E R .

1. Application is allowed.

2. In the event of arrest of the applicants in connection with Crime No. 161 of 2017, registered with Ashti police station, District Beed, they be released on bail on their furnishing P.R. bond of Rs. 15,000/- (Rupees fifteen thousand only) each, with one surety in the like amount.

3. The applicants-accused shall report to the police station Ashti once in a week i.e. on Sunday between 10 a.m. to 12 noon, till filing of the charge-sheet.

4 Criminal application is disposed-of.

(K.L. WADANE, J.)

mkd/-