

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

913 CRIMINAL APPLICATION NO. 3008 OF 2017

AMOL ACHYUTRAO WAGH AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicants : Mr.V. D. Sapkal h/for Mr.
Jagtap Adinath B. And Mrs Usha Jadhav (Sapkal)
APP for Respondent State:Mr. S. B. Joshi

WITH

913 CRIMINAL APPLICATION NO. 3229 OF 2017

SHARAD S/O RAMBHAU GAWALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Applicants : Mr.Rajendra S. Kasar
APP for Respondent State:Mr. S. B. Joshi

CORAM : K. L. WADANE, J.

DATE : 18th July, 2017

ORDER:

1. Heard learned counsel for the applicants and learned APP for the State.

2. One Dnyandeo Hajare, bus driver of the ST Bus lodged complaint with Pathardi police station alleging that on 02.06.2017, when he was on duty on the bus, proceeding from Pathardi to Sonai, at about 9.30 a.m., 30 to 35 persons came on the road and obstructed the bus by putting big stones on the road. The passengers in the bus were made to alight from the bus and then they burned tyre of the bus and pelted stone on the bus

and thereby they have caused damage to the bus to the tune of Rs.15,000/-. On enquiry, the informant came to know that present applicants were there amongst those 30 to 35 persons who have pelted stone and damaged the bus.

3. Looking to the allegations of the informant and one eye witness, it appears that there is omnibus statement against almost all 35 persons about pelting stones and burning tyre of the bus.

4. Learned counsel appearing for the applicants states that the incident is sparked when farmers were agitating their demands and therefore, no specific role is attributed to the applicants. Even though one witness has identified the applicants, no specific role is attributed to them. In the circumstance, the interim relief granted to the applicants can be made absolute.

5. In view of the above, interim relief granted to the applicants by this Court on 21.06.2017, is made absolute. Both the criminal applications are disposed of.

(K. L. WADANE, J.)

JPC