

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

CRIMINAL APPLICATION NO. 3075 OF 2017

- 1) Ramrao s/o Mokinda Doiphode
- 2) Sambhaji s/o Mahadeo Waybase ... Applicants

VERSUS

The State of Maharashtra ... Respondent

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Mr. S.S.Thombare, advocate for the applicants
Mr. K.N.Lokhande, A.P.P for respondent

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CORAM : K.L.WADANE, J.

DATED : 4th JULY, 2017

O R D E R :

Heard Mr. Thombare, learned counsel for the applicants and Mr. Lokhande, learned A.P.P. for the respondent.

2. One Sanjay Doiphode, resident of Kasari, taluka Kaij, District Beed lodged complaint with police station Kaij alleging that on 25.5.2017 at about 8.00 to 8.30 p.m. when he was proceeding to his house and reached near the spot of the incident, another accused namely Sugriv Karad came there and he was having iron rod in his hand and he asked the complainant that why he had opposed

them in the Panchayat Samiti elections and assaulted him on head by means of iron rod. He also assaulted the complainant on his hand due to which there was fracture injury to his hand.

3. Allegations against present applicants are about abetment of the crime and they were saying to beat the complainant.

4. Looking to the nature of allegations, I am of the opinion that custodial interrogation of the present applicants is not necessary, as there are no allegations against the present applicants about the assault by use of weapon. In such circumstances, the applicants can be protected from their arrest.

5. Hence, the following order.

(i) Criminal Application is allowed.

(ii) In the event of arrest, applicants be released on bail in connection with Crime No. 274 of 2017, registered at Kaij police station, District Beed, on furnishing P.R. bond of Rs. 10,000/- with one surety in the like amount.

(iii) Applicants shall not tamper with the

evidence of prosecution in any manner.

(iv) Applicants shall attend the concerned police station once in a week i.e. on Monday between 10.00 to 12.00 noon till filing of the charge sheet.

(v) Applicants shall not enter the village limits of Kasari, Taluka Kaij, District Beed for two months.

6. Criminal Application is disposed of.

(K.L.WADANE, J.)

dbm