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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL BAIL APPLICATION NO.1436 OF 2017

1. Dyandev Janardhan Gawade
 2. Nana Balaso Gawade
 3. Somnath Krushana Gawade
 4. Narayan Krushna Gawade ...Applicants
- Versus
- The State of Maharashtra ...Respondent

Mr.Kuldeep Patil, i/b Mr.P.S.Hagare, for the Applicants.

Mr.Rajan Salvi, A.P.P for the Respondent-State

API – P.V.Kale, Baramati Taluka Police Station, Pune.

CORAM : REVATI MOHITE DERE, J.

DATE : 5th JULY, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicants seek their enlargement on bail in connection with C.R. No. 236 of 2017 registered with the Baramati Taluka Police Station, Pune, for the alleged offences punishable under Sections 143, 147, 148, 149, 307, 452, 326, 324, 323, 504, 506 of the

Indian Penal Code and under Section 135 of the Bombay Police Act.

3. Learned Counsel for the applicants states that the allegations as against the applicants are general in nature and that no specific overt act has been attributed to the applicants. He submitted that applicant nos.3 and 4 are aged 79 and 80 years respectively and are presently lodged in custody, since 31st May, 2017. He submitted that with respect to the incident dated 26th May, 2017, there is a cross case filed by the applicants' side. He submitted that none of the injuries caused are on the vital parts of the injured.

4. Learned APP does not dispute the fact that no specific role has been attributed to any of the applicants. He also does not dispute the fact that with respect to the said incident, there is a cross case filed by the applicants' side.

5. This Court vide order dated 27th June, 2017, has granted pre-arrest bail to 2 co-accused viz. Shashikala Balu Gawade and Tai Namdev Gawade, considering their role i.e. general allegations made as against

them.

6. It is not in dispute that the allegations as against the applicants are also general in nature. It is also not in dispute that there is a cross case filed by the applicants' side. There are in all 17 accused in the said case.

7. Considering the fact that there are general allegations as against the applicants and that no specific role has been assigned to them, the application is allowed and the applicants are enlarged on bail on the following terms and conditions:-

ORDER

- i) The Applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- each with one or two sureties in the like amount;
- ii) The Applicants shall attend the concerned Police Station as and when called, till the filing of the charge-sheet or for a period of three months from today, whichever is earlier;
- iii) The Applicants shall inform their latest place of residence and

mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;

iv) The Applicants shall co-operate in the conduct of the trial.

8. The Application is allowed and disposed of in above terms.

9. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

10. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)