

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRI. APPLICATION (ABA) NO. 548 OF 2017

(ABDUL SHAHID ABDUL MAJID & ANR....VS.. STATE OF MAH.THR.P.S.O., ANJANGAON SURJI, DIST
AMRAVATI)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.N.Ali, Advocate for Applicants.
Shri Neeraj Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : AUGUST 03, 2017.

Heard.

Apprehending arrest in connection with Crime No. 82 of 2017 registered by the non-applicant for the offence punishable under Sections 307 and 34 of the Indian Penal Code, the applicants, real brothers, seek pre-arrest bail.

According to the Investigating Agency, the victim has married with sister of the applicants against the wishes of the applicants and their family members and had been residing at Bhusaval and when the victim came to Anjangaon Surji to attend a reception of marriage, the applicants located him and assaulted him by iron pipe and iron rod, causing fracture on his right hand.

According to the applicants, the victim had committed sexual intercourse forcibly with the sister of the applicants and therefore, complaint was lodged against the victim and crime is registered and he is released on bail.

The charge-sheet is filed. The non-applicant has not been able to point out that the custody of the applicants is required for investigation. The applicant No.1, aged about 31 years, claims to be a driver and the applicant No.2, aged about 32 years, claims to be a vegetable vendor. The applicants have stated that except for the crime which was registered against them in 2012 for the offence punishable under Section 324 of the Indian Penal Code, in which they were falsely implicated, they are not involved in any other crime/ offence. Considering the nature of the dispute between the parties and the accusations against the applicants, following order is passed :

In the event of arrest in connection with Crime No.82 of 2017, the applicants be released on bail on executing P.R. Bond for Rs.Twenty Thousand each and furnishing one solvent surety in the like amount for each of the applicant.

The application is **allowed** accordingly.

JUDGE

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