

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.786/2017

Dulari Chandansingh Yadav and ors. ..vs.. State of Maharashtra thr. PSO PS
Khanan, Dist. Nagpur.

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

Court's or Judge's orders.

Mr. A. M. Sharma, Advocate for applicants.
Mr. V. A. Thakare, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.
DATED : DECEMBER 11, 2017

This is an application for anticipatory bail since the applicants are apprehending their arrest in connection with Crime No.327/2017 registered with Police Station, Kanhan, Dist. Nagpur for an offence punishable under Sections 326, 324, 143, 147, 148, 149 of the Indian Penal Code and Section 135 of the Bombay Police Act.

Heard Mr. A. M. Sharma, learned counsel for the applicants and Mr. V. A. Thakare, A.P.P. for non applicant-State. The learned A.P.P. for the State has made available the statements of the injured Rameshwari Yadav, Vivek Yadav and Dilip Yadav. The statement of Rameshwari shows that she has specifically stated the active role of Pappu @ Bhaiyaji Yadav who is applicant no.4 in the present application. According to her statement, she was assaulted by Pappu @ Bhaiyaji and his two sons whose names are not stated in her statement. Similarly, the statement of Dilip Singh also specifically shows that applicant no.4-Bhaiyaji @

Pappu assaulted on him by means of stick. Statement of Vivek shows that he was assaulted by one Harish Yadav who is already released on regular bail. It is to be noted that this particular incident is a fallout of the incident on the very same day and on the basis of which Ranjit Yadvav, who is accused in the present case as lodged report against the applicant in the present case. The State has registered the FIR No. 326/2017.

In view of same, I allow the present application in part. Criminal Application No.786/2017 is rejected so far as applicant 4-Bhayyaji s/o Dindayal Yadav is concerned. The application, so far as applicant no.1-Dulari Chandansingh Yadav, applicant no.2-Chandansingh s/o Dindayal Rajgire, applicant no.3-Raju s/o Dindayal Yadav, applicant no.5-Raman s/o Dandayal Yadav and applicant no.6-Rahul s/o Raju Yadav, is allowed.

In the event of arrest in connection with Crime No.327/2017 registered with Police Station, Khanan, Dist. Nagpur for an offence punishable under Section 326, 324, 143, 147, 148, 149 of the Indian Penal Code and Section 135 of the Bombay Police Act, applicant no.1-Dulari Chandansingh Yadav, applicant no.2-Chandansingh s/o Dindayal Rajgire, applicant no.3-Raju s/o Dindayal Yadav, applicant no.5-Raman s/o Dandayal Yadav and applicant no.6-Rahul s/o Raju Yadav be released on bail on they executing P.R. Bond in the sum of Rs.15,000/- each with two solvent sureties in the like amount.

Except applicant nos.1 and 2, the other applicants namely; applicant nos. 3, 5 and 6 shall attend Police Station, Kanhan twice a week i.e. on every Friday and Saturday and shall be with the investigating officer from 2.00 p.m. to 6.00 p.m. and shall extend full cooperation to the investigating officer. The applicants shall not indulge in any activity which may cause prejudice to the prosecution case.

The application is allowed and disposed of accordingly.

JUDGE

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