

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

CRIMINAL APPLICATION (ABA) NO.787/2019

Seshrao Sadashiv Shirsat and anr. .vs. . State of Maharashtra through PSO P.S.
Khadan, Tq. Dist. Akola.

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

Court's or Judge's orders.

Mr. K. H. Anandani, Advocate for applicants.
Mr. M. J. Khan, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.
DATED : DECEMBER 04, 2019

Heard Mr. Anandani, learned counsel for applicants
and Mr.Khan, learned A.P.P. for non applicant-State.

Applicants are apprehending their arrest in
connection with Crime No.552/2019 registered with Police
Station, Khadan, Akola, Tq. Dist. Akola for an offence
punishable under Sections 143, 147, 148, 149, 336, 307, 324,
294, 506 of the Indian Penal Code.

As per the prosecution case, incident is dated
13.10.2019. In the said incident, two First Information Reports
were lodged. First in time was lodged by Sau. Kalpana having
Crime No.552/2019, in which the present applicants are
claiming pre arrest bail and another was lodged by Pushpa
having Crime No.553/2019, in which some of the eye witnesses
in Crime No. 552/2019 are accused. As per the prosecution
case, first informant Kalpana, after religious function which was

held in the house of her brother Balu, was proceeding in the locality for inviting women for dinner and when she was in front of house of one Charita, co-accused Sugat Shirsat, Siddharth Shirsat and Mahadeo Shirsat were standing and they laughed at her. They also used abusive language. Therefore, as per the prosecution case, Siddharth slapped and assaulted her by fists blows. When she fell down, Siddharth tried to strangle her. As per prosecution case, present applicants were also present.

The only allegation against the present applicants, as it could be seen from the submissions of the learned A.P.P., is that they were members of the unlawful assembly. However, the fact remains that the main accusations about strangulation are against Siddharth.

In that view of the matter, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No. 552/2019 registered with Police Station, Khadan, Akola, Tq. Dist. Akola for an offence punishable under Sections 143, 147, 148, 149, 336, 307, 324, 294, 506 of the Indian Penal Code, applicant no.2-Seshrao Sadashiv Shirsat and applicant no.2-Kunal s/o Seshrao Shirsat be released on bail on they executing P.R. Bond in the sum of Rs. 15,000/- each with one solvent surety each in the like amount.
- (iii) The applicants are directed to attend Police Station, Khadan, Tq. Dist. Akola twice week i.e. on every Monday and

Sunday, between 11.00 a.m. to 02.00 p.m., till filing of the charge-sheet. After filing of the charge-sheet, the applicants shall attend Police Station, Khadan once in a week, till culmination of the trial.

The application is disposed of.

JUDGE

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