

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

CRIMINAL APPLICATION (ABA) NO. 33 OF 2020

Madhukar s/o Kisan Ghode and others .Vs. State of Maharashtra, through
PSO, PS, Mehkar, Tah. Mehkar, Dist. Buldhana

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

Court's or Judge's orders.

Mr.A.S. Dhore, Advocate for applicants.
Mr.N.B. Jawade, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.
DATED : FEBRUARY 05, 2020

Mr. A.S. Dhore, learned counsel for the applicants and N.B. Jawade, learned Additional Public Prosecutor for non applicant-State. Also perused the reply filed on behalf of the prosecution and the investigation papers.

2. The applicants are apprehending their arrest in connection with Crime No.411/2019 registered with Police Station, Mehkar, Tah. Mehkar, Dist. Buldhana for an offence punishable under Sections 143, 147, 148, 149, 307, 504 and 506 of the Indian Penal Code.

3. The incident in question has occurred on 27.11.2019 and it is in respect of the dispute regarding agricultural property in two groups.

4. Learned Additional Public Prosecutor submits that counter First Information Report (FIR) is also

lodged in respect of the same incident i.e. registered as Crime No.410/2019 and it was lodged by one Sindhu Bhalerao who is one of the accused in Crime No.411/2019 in which the applicants are claiming pre-arrest bail.

5. The investigation papers would show that use of dangerous weapon i.e. axe is attributed to one Suresh Bhalerao, who is not applicant in this application. The allegations are most in general in nature and the injuries as it could be seen from the injury certificates appear to be simple in nature.

6. This Court has granted interim protection in favour of the applicants and they were directed to attend police station from 20.01.2020 to 01.02.2020. Learned Additional Public Prosecutor would submit that applicants have scrupulously followed the condition and the interrogation is already done by the investigating officer.

7. In view of the aforesaid circumstance, in my view, applicants can be released on bail. That leads me to pass the following order:

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.411/2019 registered with Police Station, Mehkar,

Tah. Mehkar, Dist. Buldhana for an offence punishable under Sections 143, 147, 148, 149, 307, 504 and 506 of the Indian Penal Code, applicants – (1) Madhukar s/o Kisan Ghode; (2) Parmeshwar s/o Madhukar Ghode; (3) Narayan s/o Madhukar Ghode; and (4) Dinkar s/o Ganesh Bhalerao be released on bail on they executing P.R. bond in the sum of ₹10,000/- each, with one solvent surety each in the like amount.

(iii) The applicants are directed to attend Police Station, Mehkar, Tah. Mehkar, Dist. Buldhana twice in a week i.e. on every Monday and Tuesday and shall be with the investigating officer from 11:00 a.m. to 05:00 p.m., until filing of the charge-sheet.

(iv) After filing of the charge-sheet the applicant shall attend Police Station, Mehkar, Tah. Mehkar, Dist. Buldhana once in a month i.e. on first Friday of every month and shall be with the investigating officer from 11:00 a.m. to 05:00 p.m. for next six months.

The application is disposed of.

JUDGE