

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

27 ANTICIPATORY BAIL APPLICATION NO.702 OF 2021

1. Adinath Navnath Mule, **...APPLICANTS**
Age-22 years, Occu-Agri,

2. Vilas Yadavrao Mule,
Age-41 years, Occu-Agri,

3. Dattu Devidas Mule,
Age-24 years, Occu-Agri,

4. Rustum Ambadas Nikam,
Age-30 years, Occu-Agri,

All R/o. Devali, Tq. Kannad,
Dist. Aurangabad

VERSUS

The State of Maharashtra **...RESPONDENT**
Through Shivoor Police Station,
Tq. Vaijapur, Dist. Aurangabad (Rural)

Mr. Narendra D. Sonvane, Advocate for the applicants
Mr. A. V. Deshmukh, APP for the respondent/State

CORAM : SANDEEP K. SHINDE, J.

DATE : 28-07-2021

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. Heard learned counsel for the applicants and learned
APP for the respondent/State.

2. The prosecution case is that the applicants being members of unlawful assembly in commission of common object thrashed Ravindra, Dnyaneshwar and Subhash over a dispute relating to excavation of sand. Injury certificates show Ravindra, Dnyaneshwar and Subhash had suffered simple injuries. Prima-facie, therefore, the allegations do not constitute offence under Section 326. Additionally there are no criminal antecedents against the applicants.

3. In consideration of the facts aforesaid, the application is allowed. Hence, the order;

ORDER

i. In the event of arrest in connection with the crime No. 338/2021 registered with Shivoor Police Station, Tq. Vaijapur, Dist. Aurangabad for the offences punishable under Sections 143, 147, 148, 149, 326, 504 and 506 of the Indian Penal Code, the applicants shall be released on bail on executing bond in the sum of Rs. 25,000/- [Rupees Twenty Five Thousand] each with one or more sureties in the like amount.

ii. The applicants shall report to the Shivoor Police Station, Tq. Vaijapur, Dist. Aurangabad on every Monday of each month between 11.00 am to 01.00 pm

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commencing from 23-08-2021 till charge-sheet is filed.

iii. The applicants shall undertake that they are not engaged in the business of excavating sand and copy of undertaking shall be filed in the concerned police station and copy shall be forwarded to the office of the prosecutor.

4. The application is allowed and disposed of in the above terms.

[SANDEEP K. SHINDE, J.]

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