

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

30 ANTICIPATORY BAIL APPLICATION NO.1302 OF 2021

1. Baban Piraji Shirsath
 2. Kailas Ramkisan Shirsath
 3. Ashok Raosaheb Shirsath
 4. Aniket Ajinath Shirsath
- Applicants.

All r/o Takli Manur, Tal. Pathardi,
District Ahmednagar.

Versus

The State of Maharashtra

Respondent.

...

Mr. Satej Jadhav, Advocate for the applicants.
Mr. A.S. Shinde, A.P.P. for respondent – State.
Mr. N.B.Narwade, Advocate assisting the PP.

...

CORAM : **PRAKASH D. NAIK, J.**

DATE : 29-11-2021

ORDER :

1. The First Information Report (for short "FIR") was registered vide Crime No.0745 of 2021 for the offences under Sections 307, 326, 324, 143, 147, 148, 149, 323, 504 and 506 of Indian Penal Code and under Section 3/25 of Indian Arms Act.

2. There are cross cases registered by both the sides. From the side of the applicants FIR was registered vide Crime No.723 of 2021 for the offences punishable under sections 307, 324, 143, 147, 148, 149, 323, 504 and 506 of IPC. The accused in the said case had preferred an application for anticipatory bail before

this Court viz.: ABA No.1295 of 2021.

3. The contention of the applicants is that the applicants were not armed with any weapon and no specific overt act has been attributed to them.

4. Learned A.P.P. submitted that the applicants are named in the F.I.R. They have participated in the offence.

5. Considering the factual aspects as stated above and role assigned to the applicants, they not be subjected to custodial interrogation. Hence, the following order.

ORDER

- (i) ABA No. 1302 of 2021 is allowed.
- (ii) Interim order dated 17th November 2021 is confirmed.
- (iii) In the event of arrest of the applicants in connection with Crime No. 745/2021 registered with Pathardi Police Station, District Ahmednagar, the applicants be released on bail on executing P.R. bond in the sum of Rs. 20,000/- each, with one or more sureties in the like amount.
- (iv) The applicants shall appear before the Investigating Officer on 06.12.2021, 07.12.2021 and 08.12.2021 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called for, till filing of the charge-sheet.
- (v) The application stands disposed of.

(PRAKASH D. NAIK, J.)