

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

BAIL APPLICATION NO. 1160 OF 2022

1. Rahul Lala Pawar
Age: 20 years, Occu.: Agri.,
2. Lahu Shankarrao Kale
Age: 25 years, Occu.: Agri.,
3. Anil Hari Shinde
Age: 23 years, Occu.: Agri.,
4. Ashok @ Bappa Hari Shinde
Age: 24 years, Occu.: Agri.,
5. Navnath Lala Pawar
Age: 20 years, Occu.: Agri.,
6. Lala Gopinath Pawar
Age: 40 years, Occu.: Agri.,

All R/o Barloni Pardhipidi,
Tq. Washi, Dist. Osmanabad

..APPLICANTS

VERSUS

State of Maharashtra
Through Washi Police Station, Washi,
Dist. Osmanabad

..RESPONDENT

....

Mr. S.S. Jadhavar, Advocate for applicants
Mr. R.B. Bagul, A.P.P. for respondent – State
Mr. M.P. Gandle, Advocate for assist to A.P.P.

....

**CORAM : R.G. AVACHAT, J.
DATE : 13th SEPTEMBER, 2022**

PER COURT :

1. This is an application for bail under Section 439 of Code of Criminal Procedure. The applicants have been arrested in connection with Crime No. 51 of 2022 registered with Washi Police Station, Dist. Osmanabad for the offences punishable under Sections 395, 324, 323, 427, 504 and 506 of the Indian Penal Code.

2. Heard. Perused the First Information Report ("F.I.R.") and related police papers.

3. The F.I.R. has been lodged by the victim herself on 19th March, 2022. It is her case that she had been to Solapur alongwith her husband in their own vehicle on 18th March, 2022. They were on their way back home post 05:45 p.m. At about 07:30 p.m. they were passing by Washi Phata. One unknown person appeared from the left side. He was armed with a stick. He first smashed the windscreen of the car. The car had to come to halt. Within no time 10-15 persons each on either side of the car appeared. All of them were armed with sticks, iron rod, sickles, etc. All of them damaged the car, assaulted the informant and her husband as well. The informant's husband was robbed of Rs.6,000/-. There were 10-15 female culprits. They robbed the informant of her Mangalsutra worth Rs.1,20,000/-. It was the case of the culprits that vehicle of the informant dashed their he buffalo. Meanwhile, one Ashok Bhalvane came on motorbike. He too was assaulted. He was from

the same locality. He could, therefore, identify some of the assailants. Meanwhile, police were approached. Ashok Bhalvane gave names of some of the culprits. The informant has given those names in the F.I.R.

4. Learned counsel for the applicants would submit that it is not a case of robbery. The incident occurred over vehicle of the informant dashed a he buffalo. A petty incident is blown out of the proportion. On investigation, the charge-sheet has been filed. He, therefore, urged for grant of the application.

5. Learned A.P.P. and learned counsel for the intervenor would, on the other hand, submit that the applicants have criminal antecedents. A serious offence has been committed. Both of them, therefore, urged for rejection of the application.

6. Considered the submissions advanced. The applicants have been behind the bars for about six months. So far as regards their criminal antecedents are concerned, those date back to year 2017 and there before. Most of the applicants are in the age group of 20-24 years. On investigation, the charge-sheet has been filed. It would necessarily take time for commencement and conclusion of trial. In view of the same, the Court is inclined to grant the applicants bail.

7. In view of above, the application deserves to be allowed. Hence I pass the following order :-

ORDER

(I) The bail application is allowed.

(II) The applicants be released on bail, in connection with Crime No. 51 of 2022 registered with Washi Police Station, Dist. Osmanabad for the offences punishable under Sections 395, 324, 323, 427, 504 and 506 of the Indian Penal Code, on executing PR. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with one solvent surety in the like amount.

(III) The applicants shall mark their attendance in the Washi Police Station, Dist. Osmanabad once a week i.e. on every Sunday at 11:00 a.m. till next twelve months.

(IV) The applicants shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)

SSD