

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.657 OF 2022

Ganesh Janardhan Dane and others .Vs. State of Maharashtra, through P.S.O., P.S.
Tamgaon, Dist. Buldhana

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R.R. Vyas, Advocate for the applicants.

Ms K.R. Deshpande, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 28/09/2022

Heard.

2. The applicants are seeking pre-arrest bail in Crime No.244 of 2022, dated 27.08.2022, registered with Police Station Tamgaon, District: Buldhana, for the offences punishable under Sections 354, 354-A, 324, 294, 504 and 506 read with Section 34 of the Indian Penal Code and Sections 3 and 25 of the Arms Act.

3. In this case, there are counter FIRs. The FIR of the brother of the applicants is prior in time. In the present crime, one Amol Vilas Dane has sustained injuries whereas, in another crime, one Ganesh Janardhan Dane has sustained injuries.

4. Considering the role of the present applicants as alleged in the FIR, it can be seen that, it is alleged that the applicants assaulted by fist, blows and brick. Whereas, it is alleged that, the co-accused Vitthal Janardhan Dane used sword.

5. Thus, considering the fact that, there are counter FIRs lodged by both the parties against each other and further considering the role attributed to the applicants, I am of the opinion that the applicants are entitled for grant of pre-arrest bail.

6. Ms K.R. Deshpande, learned APP strongly opposes the present application.

7. However, in the above referred backdrop and as there is nothing to be recovered from the applicants, I am of the opinion that the applicants are entitled for grant of pre-arrest bail. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in the event of arrest of the applicants in Crime No.244 of 2022, dated 27.08.2022, registered with Police Station Tamgaon, District: Buldhana, for the offences punishable under Sections 354, 354-A, 324, 294, 504 and 506 read with Section 34 of the Indian Penal Code and Sections 3 and 25 of the Arms Act, the applicants shall be released on bail on furnishing P.R. Bond of Rs.25,000/- each with one solvent surety in the like amount for each of the applicants.

- c) The applicants shall not enter into the territorial jurisdiction of Khiroda (Old), Tq. Sangrampur, Dist. Buldhana, till the filing of the charge-sheet.
- d) The applicants shall attend concerned Police Station as and when their presence is required.
- e) The applicants shall not tamper with the prosecution witnesses.

The criminal application is **disposed of** accordingly.

JUDGE