

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

Criminal Application No.4324 of 2014

Shaikh Akhil @ Raju Shaikh Maheeb
And Others. .. **Applicants.**

Versus

The State of Maharashtra. .. **Respondent.**

Shri. S.S. Thombre, Advocate, for applicants.

Shri. S.B. Pulkundwar, Additional Public Prosecutor, for
respondent.

Shri. Mobin H. Shaikh, Advocate to assist the APP.

With

Criminal Application No.4323 of 2014

Shaikh Sheru @ Sharif s/o Shaikh
Rahim. .. **Applicant.**

Versus

The State of Maharashtra. .. **Respondent.**

Shri. S.S. Thombre, Advocate, for applicants.

Shri. S.B. Pulkundwar, Additional Public Prosecutor, for
respondent.

Shri. Mobin H. Shaikh, Advocate to assist the APP.

With

Criminal Application No.4452 of 2014
In
Criminal Application No.4324 of 2014

Sikandar Beg Amin Beg. .. **Applicant.**

Versus

The State of Maharashtra
And Others. .. **Respondents.**

Shri. Mobin H. Shaikh, Advocate, for the applicant.

Shri. S.B. Pulkundwar, Additional Public Prosecutor, for
respondent No.1.

Shri. S.S. Thombre, Advocate, for respondent Nos 2 to 4.

With

Criminal Application No.4453 of 2014
In
Criminal Application No.4323 of 2014

Sikandar Beg Amin Beg. .. **Applicant.**

Versus

The State of Maharashtra
And Another. .. **Respondents.**

Shri. Mobin H. Shaikh, Advocate, for the applicant.

Shri. S.B. Pulkundwar, Additional Public Prosecutor, for
respondent No.1.

Shri. S.S. Thombre, Advocate, for respondent No. 2.

CORAM: T.V. NALAWADE, J.

DATE : 28th AUGUST 2014

ORDER:

1) Criminal Application Nos.4452/2014 and 4453/2014 filed for permission to assist the learned Additional Public Prosecutor are allowed.

2) The first two applications are filed for relief of anticipatory bail. Both the sides are heard. This Court has perused the papers of investigation.

3) Crime at CR No.81/2014 is registered in Police Station Beed (Rural) for offences punishable under sections 326, 323, 504, 506, 147, 148, 149 of the Indian Penal Code against the applicants and others on the basis of report given by one Sikandar Baig. He has some land dispute with one Shaikh Mehmood. On 11-6-2014 after 7.30 a.m. Shaikh Mehmood came to his house and he asked him to come to the field to settle the boundary dispute of their lands and he took the complainant, his sons and others to the field. Allegations are made that in the field he found 10 to 12 persons present. In the field

the applicants and other persons started quarrel with the complainant and others and during quarrel persons namely Shaikh Usman and Shaikh Arshad assaulted the complainant and his sons with weapons like stick, iron rod etc. and caused injuries and one of the injury sustained to the orbit of the eye is stated to be grievous. Said injury was caused by Shaikh Usman and Shaikh Arshad.

4) The submissions made show that the main assailants came to be arrested and they are granted bail. Even if the present applicants were in the company of the owner, they were present there as labours. Vague allegations are made as against the present applicants that they took part in the quarrel and assaulted the complainant and others. Three persons sustained injuries and except aforesaid injury other injuries were simple in nature. It is not the case of the complainant that the present applicants caused grievous injury to any of the injured persons. Apparently there was no motive qua the present applicants. In view of the facts, custodial interrogation is not necessary. This Court holds that relief of anticipatory bail can be granted to the applicants.

5) In the result, Criminal Application Nos.4323 of 2014 and 4324 of 2014 are allowed. In the event of arrest in Crime No.81/2014 of Police Station Beed (Rural) registered for offences punishable sections 326, 323, 504, 506, 147, 148, 149 of the Indian Penal Code the applicants are to be released on bail on their furnishing PR and SB of Rs.15000/- by each of them with one solvent surety in the like amount. The applicants are not to tamper with the prosecution witnesses. They are not to commit similar offences. They are to attend the concerned police station on every Sunday between 9.00 a.m. and 12.00 noon, for a period of one month and they shall cooperate police during investigation. The observations made in this order are for the purpose of present proceeding.

Sd/-
(T.V. NALAWADE, J.)

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