

criap6951.16, etc.

(1)

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

CRIMINAL APPLICATION NO.6951 OF 2016

Syed Sikandar s/o Syed Abdul Mannan,
Age : 26 years, Occ. Labour,
r/o Rahmaniya Colony,
Aurangabad

..APPLICANT

VERSUS

The State of Maharashtra,
Through Jinsi Police Station,
Aurangabad

..RESPONDENT

Mr N.S. Ghanekar, Advocate holding for Ms Mansi N. Ghanekar, Advocate
for applicant;
Mr P.S. Patil, Addl. Public Prosecutor for respondent

**WITH
CRIMINAL APPLICATION NO.6952 OF 2016**

Mohd. Raees s/o Abdul Raheman,
Age : 28 yrs. Occ. Business,
r/o Galli no.21, Rahmaniya Colony,
Azad Chowk, Cidco Aurangabad,
Dist. Aurangabad

VERSUS

The State of Maharashtra,
Through Jinsi Police Station,
Aurangabad

..RESPONDENT

Mr Suvidh S. Kulkarni. Advocate for applicant;
Mr P.S. Patil, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 30th December, 2016

ORAL ORDER

Heard.

2. By these applications under Section 439 of the Code of Criminal Procedure, the applicants are seeking bail in C.R. No.411 of 2016, registered on 27th November, 2016 at Jinsi Police Station, Aurangabad, for offences punishable under Sections 420, 468, 471 read with Section 34 of the Indian Penal Code.

3. The offence punishable under Section 471 of the Indian Penal Code is bailable.

4. The applicants were arrested on 27th November, 2016 and were subjected to custodial interrogation.

5. The applications are opposed by the learned Addl. Public Prosecutor only on the ground that investigation is yet to be over and statement of one of the co-accused recorded under Section 27 of the Evidence Act names the present applicants.

6. *Prima facie*, what could be gathered from the record is, the applicants' custodial interrogation is already over. From the contents of the first information report, whether there is satisfaction of ingredients of the offences as are alleged against the applicants, is also an issue which needs to be appreciated, apart from the fact that in one of the Sections the offence is bailable. In view thereof, the applications need to be allowed.

(3)

Hence, I pass following order :-

The applicants be released on bail, in connection with C.R. No.411 of 2016, registered on 27th November, 2016 at Jinsi Police Station, Aurangabad, for offences punishable under Sections 420, 468, 471 read with Section 34 of the Indian Penal Code, on each of them furnishing P.R. Bond of Rs.25,000/- with one or two sureties in the like amount.

The applicants shall keep themselves away from the jurisdiction of the concerned police station till filing of the charge-sheet and shall co-operate in the investigation by attending Investigating Officer as and when called.

Criminal Applications stand allowed in above terms.

(N.W. SAMBRE, J.)

amj