

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 153 OF 2015

Nana Bapu Gadade and Ors.**Applicants.**

Versus

The State of Maharashtra and Anr.**Respondents.**

Mr. N.V. Gaware, Advocate for applicants.

Mrs. M.A. Deshpande, APP for State.

CORAM : T.V. NALAWADE, J.

DATED : 30th January, 2015.

ORDER :

1. The application is filed for relief of anticipatory bail. Both the sides are heard. This Court has perused the papers of investigation.

2. The crime is registered on the basis of report given by one Dashrath Damre. According to him, the incident in question, took place on 1.1.2015 at about 9.00 a.m. He has made allegations mainly against Ramesh Mahadev Dhumal and Ravindra Kalyan Gadade. They were angry with complainant as they had suspicion that he is the person behind the application given in respect of incident of theft of D.P. of electricity board. Allegations are made that these persons and others gave him beating and during the incident Ramesh took cash amount from

his person and Revanath took away his gold ring. He has made allegations that present applicants gave him beating by using fist blows and kicks. He has made specific allegations against Ramesh and Ravindra that they gave him abuses by taking the name of his caste, which is scheduled caste. Crime is registered for the offences punishable under sections 3 (1) (x), 3 (2) (v) of SC and ST (Prevention of Atrocities) Act and sections 395, 149 etc. of I.P.C.

3. In respect of the offence under the aforesaid Special Legislation, there are no allegations against the present applicants. There are no allegations that they took the ornament. According to the complainant, blunt injuries were caused. Some record is produced to show that there is some political rivalry and both the sides have given applications and complaints against each other. In view of nature of allegations, this Court holds that protection needs to be given to the present applicants.

4. In the result, the application is allowed. Interim relief granted in favour of applicants is confirmed.

[T.V. NALAWADE, J.]

SSC/