

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram, orders or Registrar's	Court's or Judge's orders.
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CRIMINAL APPLICATION NO. 162 OF 2015
 WITH APPLN/357/2015 IN APPLN/162/2015

BHAGWAN S/O SUKHDEO SONAWANE AND OTHERS
 VERSUS
 THE STATE OF MAHARASHTRA

...
 Advocate for Applicants : Mr. Karpe Rahul R.
 APP for Respondent: Mrs. M. A. Deshpande.
 Advocate for Applicant No.357 of 2015: Mr. Shaikh
 Mazhar A. Jahagirdar.

CORAM: T. V. NALAWADE, J.
DATED: 28th JANUARY, 2015.

PER COURT:

1. The application is filed for bail. Both the sides are heard. This Court has perused the papers of investigation.
2. This Court had specifically directed learned A.P.P. to see that the hand pump in respect of which there was a dispute is brought into use and the family of the complainant is now able to get at-least drinking water. Such report is now submitted.
3. The crime is registered for offence under section

354 of I.P.C., section 3 (1) (5) (10) (11) (15) of SC & ST (Prevention of Atrocities) Act. One lady Smt. Maya has given report. It appears that some members are occupying disputed land and probably by making encroachment. There is a dispute between the applicants and the family of the complainant and others as the applicants are saying that the land is allotted to them by the Government but the side of the complainant has made encroachment and they are occupying their property illegally. However, there is no record to show that the possession is handed over by the authority to the applicants.

4. Allegations are made that from over two years the bore well was not functioning and the family of the complainant was not getting water for drinking purpose. The allegations are made against the applicants that the applicants are preventing Village Sarpanch from repairing the hand pump. Allegations are made that by taking the name of the caste of the complainant abuses were given by the Applicants to the complainant and her family members and they were particularly given on 21st December, 2014 after 08.00 p.m. Some abuses in filthy languages were also given to the lady members of the

family of the complainant.

5. The applicants are behind bar since 22nd December, 2014. It can be said that they are behind bar for sufficient length of time and they must have learnt the lesson. This Court holds that the bail needs to be granted to the applicants as it is not certain as to when the charge sheet will be filed and when trial will be over.

6. In the result, the criminal application No.162 of 2015 is allowed. The applicants are to be released on bail on their furnishing P.R. and S.B. of Rs.15,000/- by each of them. They are not to tamper with prosecution witnesses. They are not to commit similar offence.

7. Criminal Application No.357 of 2015 in Criminal Application No.162 of 2015 for assisting learned A.P.P. is allowed and disposed of.

[T. V. NALAWADE, J.]

Dt.28/01/2015
ans/162