

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO.1900 OF 2015.

Shridhar Raghunath Munde & Ors.

Versus

The State of Maharashtra.

Appearance =>

Mr. Vikram Dhorde, Advocate for the Applicants.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 28th April, 2015.

Per Court :-

Present Criminal Application is filed by the Applicants for grant of anticipatory bail, in the event of their arrest, in connection with CR No. 59/2014 registered with Police Station, Parli (City), District – Beed for the offences punishable under Section.s.3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and under Section.s. 504, 506 read with 34 of the Indian Penal Code.

[2] Heard Mr. Vikram Dhorde, Advocate for the Applicants and Mrs. Pratibha Bharad, learned Additional Public Prosecutor for the State.

[3] First Information Report is lodged by Vandana Hiranman Pawar, Chief Executive Officer, Parali Vaijinath, District–Beed and Secretary, Agricultural Produce Market Committee, Parali Vaijinath.

[4] According to the FIR, when she was passing towards the A.P.M.C that time, she noticed one truck standing in front of Shop “Anilkumar Commission Agent”. Applicant No.1 – Shridhar was standing there. Work of loading and unloading of wheat was going on. FIR further states that thereafter the first informant went to her office and directed her subordinates to go to the said place for making enquiry. FIR further states that she received information from her subordinates that when they had been to the present applicants, that time, present applicants used abusive words in the name of Caste of the first informant.

[5] Admittedly, this particular incident of abusing the first informant in the name of her caste was not made in her presence. Thus evidence of first informant in that respect is hear say.

[6] First Information Report further reveals that, thereafter she received telephonic call, when she was in her office and it is alleged that on telephone, present applicant No.1 – Shridhar alone has uttered abusive words in the name of caste. The said utterance, even according to the first informant are on telephone and even according to the first information report those words were not heard by anybody.

[7] In that view of the matter, the applicants have made out a prima facie in their favour for grant of anticipatory bail. Hence, I pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) In the event of arrest, Applicant No.1 - Shridhar Raghunath Munde and Applicant No.2 – Anil Shridhar Munde

shall be released on anticipatory bail on they executing P.R. Bond of Rs.10,000/- [Rs. Ten Thousand.] each with one solvent surety in the like amount, in connection with CR No. 59/2014 registered with Police Station, Parli (City), District – Beed for the offences punishable under Section.s.3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and under Section.s. 504, 506 read with 34 of the Indian Penal Code.

(iii) The Applicant shall not indulge themselves in any way to tamper with the prosecution case. Further the applicant shall not cause any threat to the first informant.

(iv) With this Criminal Application is allowed and same is disposed of.

(V.M. DESHPANDE, J.)