

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 6476 OF 2014

SUBHASH S/O DATTARAM HAMBARDE AND OTHERS
 VERSUS
 THE STATE OF MAHARASHTRA

...
 Advocate for Applicants : Mr. Narvade Patil Ravindra B.
 APP for Respondent-State: Mr. R. P. Phatke

...
CORAM : T. V. NALAWADE, J.

DATE : 8th January, 2015

PER COURT :

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

2. Crime is registered on the basis of report given by one Sundarabai More. The incident took place on 29.10.2014 at 1 p.m. She is living with her family on some portion of Gayran land where she had made some construction. It is her case that the construction was there since 1.4.1996. It is her case that the present applicants and others belong to other community and trying to drive her out of the Gayran property and ultimately on the day of incident about 40 to 50 persons of the community came there with bulldozer and made constructions flat. It is her case that they caused damage of Rs.4 to 5 lac.

3. Crime came to be registered for the offences punishable under sections 143, 147, 149, 427, 447, 506 of the Indian Penal Code and under

sections 3(1)(x), 3(1)(v) of the ST & SC (Prevention of Atrocities) Act, 1989.

4. The complainant is of Scheduled Caste community. The aforesaid allegations are made against the other community members including the present applicants. The applicants are behind bars since 30.10.2014. They must have learnt lesson during this period. It is not certain as to when the trial of the case will be completed. In view of this, the court holds that it is not desirable to keep the applicants behind bars till then.

5. The applicant are to be released on bail on furnishing PR and SB of Rs.15000/-(Rupees fifteen thousand only) each. The applicants are not to tamper with the prosecution witnesses. They are not to commit similar offence.

6. Authenticated copy be supplied.

(T. V. NALAWADE, J.)

JPC