

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

CRIMINAL APPLICATION NO. 3225 OF 2015

Raju Ashok Patil

.... **APPLICANT**

V E R S U S

The State of Maharashtra

.... **RESPONDENT**

.....

Mr. V.P.Patil, Advocate for Applicant.

Mr. A.S.Shinde, A.P.P. for Resp. – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 7th JULY, 2015

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PER COURT :

1. This is an application for grant of anticipatory bail since the applicant is apprehending his arrest in connection with Crime No. 68/2015 registered with Jalgaon Taluka police station, Jalgaon, District Jalgaon for the offences punishable u/s 324,337,143,147,148,149 of the Indian Penal Code, u/s 3 (i) (x) of the Scheduled Castes and the Scheduled Tribes [Prevention of Atrocities] Act and u/s 374 (1) (3) of Bombay Police Act.

2. Heard Mr. V.P.Patil, learned counsel for the applicant and Mr. A.S.Shinde, learned A.P.P. for respondent – State in extenso.

3. First informant, who belongs to Scheduled Caste. Behind his house there exists agricultural land of Shamrao Pundlik Patil and his brother Ulhas Pundlik Patil. Present applicant is Raju Ashok Patil. There is nothing available on record that the applicant is related to Shamrao Pundlik Patil and Ulhas Pundlik Patil. According to F.I.R., on 26/05/2015 there arose dispute between the first informant on one hand and Shamrao Patil and Ashok Patil on the other in respect of the construction of house.

4. F.I.R. alleges that on 30/05/2015 at 4.00 p.m., Bapu Shamrao Patil and present applicant came near the house of first informant and used abusive words in the name of caste. There are no allegation against the applicant that he has used abusive words in the name of caste. Further, the role attributed to the present applicant is that he has thrown small pieces of “Kadappa” towards the wife and mother of the first informant, due to which they received certain injuries. However, learned A.P.P. fairly submitted that there are no injury certificate available in the investigation papers.

5. In so far as assault on the father of the first informant is concerned, no role is attributed to the present applicant. Looking to such material available in the investigation papers and looking to the fact that no specific

allegation is made against the present applicant that he has used abusive words in the name of caste, applicant can be protected.

6. Hence, I pass the following order.

- (i) Present Criminal Application is hereby allowed.
- (ii) In the event of arrest in connection with Crime No. 68/2015 registered with Jalgaon Taluka police station, Jalgaon, District Jalgaon for the offences punishable u/s 324, 337, 143, 147, 148, 149 of the Indian Penal Code, u/s 3 (i) (x) of the Scheduled Castes and the Scheduled Tribes [Prevention of Atrocities] Act and u/s 374 (1) (3) of Bombay Police Act, applicant Raju Ashok Patil be released on anticipatory bail on he executing P.R. Bond of Rs. 5,000/- [Rupees Five Thousand] with one solvent surety of like amount.
- (iii) Present applicant shall attend Jalgaon Taluka police station, Jalgaon once in a fortnight preferably on every Sunday between 3.00 – 5.00 p.m. till the charge sheet is filed.

- (iv) With these observations, Present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]

KNP/Cr.Apln. 3225.2015