

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3722 OF 2015

Sayyad Adil @ Babalu
s/o Sayyed Jamil

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr G.A. Kulkarni, Advocate holding for Mr T.Y. Sayyed, Advocate for
applicant;
Mr S.R. Palnitkar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 19th August, 2015

ORAL ORDER :

Heard learned Counsel for the applicant and learned A.P.P. for the respondent, at length.

2. The applicant is seeking pre-arrest bail for an offence punishable under sections 323, 324, 504, 143, 147, 148, 149 of the Indian Penal Code and section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, registered vide C.R. No.68 of 2015, with City Police Station, Beed.

3. Perused the first information report and the say filed by the Investigating Officer.

4. The offence in the present case is registered under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, however, perusal of the first information report does not reflect any attributions on the caste basis by the present applicant to the complainant.

It is, no doubt, true that similarly placed accused are already released on bail by this Court, by order dated 1st July, 2015, passed in Criminal Application No.2804 of 2015, as also by Additional Sessions Judge, Beed, by his order dated 5th May, 2015, passed in Misc. Criminal Application No.211 of 2015, preferred by Shaikh Sohail Zahir.

5. There are allegations about assault.

6. The dispute arose between the students who were taking education in the same college, which resulted into lodging of the first information report.

7. Having regard to the background of the dispute, in my opinion, it will be appropriate to grant the present application on following terms :-

8. In the event of arrest of the applicant, in connection with C.R. No.68 of 2015, registered with City Police Station, Beed, he be released on bail, upon furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount. The applicant shall attend the concerned police station as and when called for and shall furnish his residential address.

9. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj