

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

**CRIMINAL APPLICATION NO.4542 OF 2015**

Abdul Khalil Patel,  
Age: 36 years, Occ: Mechanic,  
R/o. Hangarga (Nal), Tq. Tuljapur,  
Dist. Osmanabad.

...Applicant

versus

The State of Maharashtra,  
through Police Station,  
Naldurg, Dist. Osmanabad & anr.

...Respondents

.....  
Mr. S.N. Patne, Advocate for applicant  
Mr. S.R. Palnitkar, A.P.P. for respondent  
.....

**CORAM : N.W. SAMBRE, J.**

**DATE : 9th SEPTEMBER, 2015**

**ORAL ORDER :**

The applicant is an accused in Crime No. 44 of 2015 for the offence punishable under Sections 395, 435, 427, 143, 147, 148, 149 of the Indian Penal Code and under Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. The perusal of F.I.R. reflects that the provisions of Atrocities Act are not attracted as utterances are not reflected therein.

3. Apart from above, there are sweeping allegations against the accused persons without attributing the role to each of the accused. The investigation in the matter is already completed. The charge sheet is filed.

4. In my opinion, no fruitful purpose will be served if the custodial interrogation of the present applicant is granted. In view thereof, I am inclined to grant bail. Hence, I propose to pass the following order.

(a) In the event of arrest, the applicant be released on bail, on furnishing P.R. bond of Rs.15,000/- (Rs. Fifteen thousand) with one surety in the like amount in connection with Crime No. 44 of 2015 registered with Naldurg Police Station, District Osmanabad for the offence punishable under Sections 395, 435, 427, 143, 147, 148, 149 of the Indian Penal Code and under Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

(b) The applicant shall attend the concerned police station everyday initially for three days between 10-00 a.m. to 11-00 a.m. and thereafter as and when called.

(c) The applicant to appear before the learned Magistrate with whom charge sheet is filed, who shall, keeping in mind the law laid down by the Apex Court in the matter of **Siddharam Satlingappa Mhetre vs. State of Maharashtra & ors.**, reported in **(2011) 1 SCC 694**, pass the order of release on such terms and conditions as deem fit.

5. The application is allowed in above terms.

[ N.W. SAMBRE, J. ]