

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

CRIMINAL APPLICATION NO.5016 OF 2015

1. Pradeep s/o Shivajirao Deshmukh
Age 35 years, Occu. Agri.,
R/o Seluamba, Taluka Ambajogai,
District Beed

2. Vinayak s/o Prabhakar Autade
Age 30 years, Occu. Agri.,
R/o As above

.. Applicants
(Orig. accused)

Versus

- The State of Maharashtra,
Through In charge Police Station
Officer, Police Station,
Ambajogai (City),
Taluka Ambajogai,
District Beed

..Respondent

Mr S.S. Thombre, Advocate for applicants
Mrs M.A. Deshpande, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 19th October 2015

PER COURT

1. Mr Thombre, learned Counsel for the applicants, upon instructions, makes a motion for withdrawal of the application for grant of pre-arrest bail on behalf of applicant No.1 - Pradeep Shivajirao Deshmukh. As such, application at the behest of applicant No.1 Pradeep Shivajirao Deshmukh stands dismissed as not pressed.

2. Heard Mr Thombre on the aspect of grant of pre-arrest bail to applicant No.2 - Vinayak Prabhakar Autade, who is impleaded as accused in Crime No.56 of 2015, for offence punishable under Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of

Atrocities) Act and under Sections 294, 506 read with Sec.34 of the Indian Penal Code.

3. So far as applicant No.2 - Vinayak is concerned, there are no caste based insulting attributions at his behest.

4. What is noticed from the perusal of first information report is threat given by the applicant No.2 - Vinayak to the complainant.

5. Apart from above, it is required to be noted that in the application for grant of pre-arrest bail before the learned trial Court, the complainant herself has given an affidavit stating therein that the alleged incident resulting into registration of Crime No.56 of 2015 had occurred at the fair price shop of Pradeep Deshmukh and not at the office of Revenue Circle Inspector.

6. In view of above, the false implication of applicant No.2 - Vinayak Prabhakar Autade cannot be ruled out.

7. As such, applicant No.2 Vinayak is entitled for pre-arrest bail. I proceed to pass the following order.

(I) In the event of his arrest, the applicant No.2 - Vinayak Prabhakar Autade be released on bail in connection with Crime No.56 of 2015 registered at Ambajogai City Police Station, District Beed, for offence punishable under Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and under Sections 294, 506 read with Sec.34 of the Indian Penal Code, upon furnishing

P.R. Bond of Rs.15,000/- (Rs. Fifteen thousand) with one surety in the like amount;

(II) The applicant shall attend the concerned Police Station initially for two days from 10.00 am to 11.00 am and thereafter, as and when called by the investigating Officer.

8. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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