

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

CRIMINAL APPLICATION NO. 5075 OF 2015

Dadabhau s/o Bhau Sobale,
Age: 63 years, Occ: Agri.,
R/o. Jamgaon, Tq. Parner,
Dist. Ahmednagar.

...Applicant

versus

The State of Maharashtra,
Through Parner Police Station,
District Ahmednagar & anr/

...Respondents

.....
Mr. S.T. Shelke, Advocate for applicant
Mrs. M.A. Deshpande, A.P.P. for respondent/State
.....

CORAM : N.W. SAMBRE, J.

DATE : 15th OCTOBER, 2015

ORAL ORDER :

It is not in dispute that this Court, by order dated 01/10/2015 passed in Criminal Application No. 5072 of 2015, granted protection in favour of other similarly placed accused persons.

2. The applicant is seeking pre-arrest bail in connection with Crime No. I-99/2015 registered at Parner Police Station, District Ahmednagar for the offence punishable under Sections 354, 323, 143, 147 of the Indian Penal Code and under Section 3(1) (x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. The perusal of First Information Report depicts that the fact for registration of offence is in the matter of removal of portrait of the complainant on 14/03/2015. It is alleged that the incident took place on 15/03/2015 at 9-30 a.m. for which, the complaint at belated stage i.e. on 16/03/2015 came to be lodged. There is delay in lodging first information report.

4. Upon perusal of the contents of the first information report, prima facie, it is noticed that the provisions of Section 3(1) (x) (xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act are not attracted or an offence committed therein.

5. In view thereof, it will be appropriate to order the release of the applicant on bail. Hence, I proceed to pass the following order.

(a) In the event of arrest, the applicant be released on bail, upon furnishing P.R. bond of Rs.10,000/- (Rs. Ten thousand) with one surety in the like amount, in connection with Crime No. I-99/2015 registered at Parner Police Station, District Ahmednagar for the offence punishable under Sections 354, 323, 143, 147 of the Indian Penal Code and under Section 3(1) (x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

(b) The applicant shall attend the concerned Police Station, for two days between 10-00 to 11-00 a.m.

(c) The applicant shall not enter the jurisdiction of the concerned police station till completion of investigation, except for attending the police station for the present proceedings.

6. Criminal Application is allowed in above terms.

[N.W. SAMBRE, J.]