

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 6162 OF 2014
with
CRIMINAL APPLICATION NO. 6436 OF 2014

Vijay Jagannath Hinge

....Applicant.

Versus

The State of Maharashtra

....Respondent.

Mr. S.T. Shelke, Advocate for applicant.

Mr. A.V. Deshmukh, APP for State.

Mr. V.B. Jadhav h/f. Mr. A.V. Hon, Advocate for assisting APP.

CORAM : T.V. NALAWADE, J.
DATED : 23rd January, 2015.

ORDER :

1. The application is filed for relief of anticipatory bail. Both the sides are heard. This Court has perused the papers of investigation.

2. It appears that there is some political dispute and there are two groups in the village of the complainant. Allegations are made that in one incident dated 10.11.2014 which took place in the office of Village Panchayat, present applicant gave abuses to Village Sarpanch and then during quarrel, he gave abuses by taking the name of caste of the

complainant. The caste is schedule caste. The crime came to be registered for offence punishable under sections 3(1) (x) of SC and ST (Prevention of Atrocities) Act. The learned APP today showed to this Court the application given by the complainant to the police officer dated 10.11.2014. The F.I.R. was given on 11.11.2014. The interim relief was granted to the applicant in view of submission that in the first application specific allegation with regard to giving abuses by taking the name of the caste were not made. The record produced shows that a proceeding filed by the side of applicant and in that proceeding, the Collector had disqualified the complainant for contesting the election for further period and appeal filed is also dismissed. Thus, the real dispute appears to be of different nature. There is no circumstantial check. This Court holds that protection needs to be given to the application.

3. In the result, the application is allowed. Interim relief granted in favour of applicant is confirmed.

4. Application filed for assisting the learned APP is allowed and disposed of.

[T.V. NALAWADE, J.]

ssc/