

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAILAPPLICATION NO. 21 OF 2015

Shri Narayan Sadhu Shelar ... Applicant
vs.
The State of Maharashtra ... Respondents

Mr. Rupesh A. Zade, Advocate for the applicant
Mr. A.S. Shitole, APP, for the respondent-State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 20th January, 2015.

P.C.

Heard. This is an application under Section 439 of the Code of Criminal Procedure, 1973. The applicant herein is arrested in Crime No.297 of 2014 registered at Walchand Nagar Police Station for the offences punishable under Sections 143, 147, 148, 149, 324, 354A, 323, 504, 506 of IPC and under Sections 3(1)(x) and 3(1)(xi) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. It is the case of the prosecution that on 13.11.2014, Tai Ramchandra Sonawane lodged a report at the police station alleging herein that on the same day, i.e.13.11.2014, at about 4 – 4.30 p.m., she had been to her agricultural land. When she returned home, she saw the present applicant and his associates. They informed her that they have abducted the wife of Dilip Jaysing. They had referred to Dilip Jaysing by his caste as Mangta and thereafter they had told her

that they would continue with this activity in future. It is alleged that the present accused had outraged the modesty of the complainant by pulling her sari. She rushed to her house. Her husband and relatives came ahead and rescued her. At that time, all of them were assaulted by the accused persons. According to the complainant, the applicant had humiliated her by referring to her caste.

3. The learned counsel for the applicant submits that the offence punishable under Section 354A of IPC contemplates punishment for a term which extend to ten years or with fine or with both. According to the learned counsel, the applicant has been in custody for more than one month. Hence, the applicant is entitled for grant of bail.

4. The observations made hereinabove are prima facie in nature and the learned Sessions Judge shall not be influenced by the above observations while considering the application for quashing the FIR or discharge application or at the time of trial.

ORDER

The application is allowed. The applicant be enlarged on bail on furnishing P.R Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.

Application is disposed of.

(SMT.SADHANA S.JADHAV, J.)