

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 177 OF 2015

1) Shri Arun Kisan Veer
2) Shri Vikas Sharad Doshi .. Applicants

Versus

The State of Maharashtra .. Respondent

AND

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 178 OF 2015

1) Shri Santosh Mahavir Doshi
2) Shri Dynyaneshwer Sopan Bondere
3) Shri Balaso @ Ashok Ramchandra Dombale .. Applicants

Versus

The State of Maharashtra .. Respondent

Mr. Prashant S. Hagare for the Applicants.

Mr. Arfan Sait, A.P.P. for the State.

Mr. Rajendra, Dy.S.P. SDPO Daund Chowk Baramati Sub-Division,
Pune.

CORAM :- SMT. SADHANA S. JADHAV, J.

DATED :- 2nd MARCH 2015.

P.C. :-

1) Heard. These are applications under Section 438 of Cr.P.C. The applicants herein are apprehending their arrest in Crime No.170 of 2014 registered at Walchandnagar Police Station for the offences punishable under Sections 3(i)(10) of the Scheduled Castes and The

Scheduled Tribes (Prevention of Atrocities) Act 1989, and Section 7(D)1 of the Protection of Civil Rights Act, 1989.

2) Perused papers. It prima facie appears that on 08.06.2014 Vikas Doshi had lodged report at Walchandnagar Police Station alleging therein that on 08.06.2014 at about 8.15 p.m. he had seen a crowd gathered in front of his house. He has named 28 persons and others and alleged that the said persons were pelting stones at his shop. They had asked him to close the shop. The unruly mob had informed the applicants that there has been a derogatory remark on the face book against Bharat Ratna Dr. Babasaheb Ambedkar and, therefore, all offices and shops are closed. They were pelting stones. Some persons were also seriously injured in the stone pelting incident. It appears on the face of the record that the present applicant has also sustained a comminuted fracture on the midshaft radius and contused lacerated wound over right side of forehead in the alleged incident. On the basis of said statement, Crime No.169 of 2014 was registered against the unruly mob for the offences punishable under Sections 395, 452, 337, 324, 323, 504, 506, 143, 147, 148, 149, 427 of India Penal Code and under Sections 3 and 7 of the Criminal Law Amendment Act as a counter applies to the registration under Crime No.169 of 2014. One Lata Ubale lodged report at the Police Station alleging therein that the applicant and others had abused the members of their community by referring to their caste. On the basis of the statement Crime No.170 of 2014 is registered.

3) The learned counsel for the applicant rightly submits by the registration of Crime No.170 of 2014, is not only a counter blast to the registration of Crime No.169 of 2014 but to save themselves from being prosecuted in the said incident.

4) Taking into consideration papers of the investigation and the submissions advanced across the bar, the applicants have made out prima facie case for grant of pre-arrest bail.

Order

- (i) The application is allowed.
- (ii) In the event of arrest, the applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- each and one or two sureties in the like amount.
- (iii) The applicants shall report to the Investigating agency on three consecutive Sundays commencing from 8th March 2015 between 10.00 a.m. to 12.00 noon.
- (iv) The applications are allowed and disposed of.

(SMT. SADHANA S. JADHAV, J.)