

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE SIDE JURISDICTION  
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1193 OF 2014

Rohidas Maruti Yewale

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Sekhar Jagtap i/b J. Shekhar & Co. for Applicant

Mr. Gautam Tambe for Respondent no. 2

Mr. A. S. Shitole APP for the State.

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

**DATED : JANUARY 13, 2015**

**PC :**

1) Heard. This is an application under section 438 of Code of Criminal Procedure, 1973. Applicant is apprehending his arrest in crime no. 3136 of 2014 registered at Bharati Vidyappeth Police Station, Pune.

2) Learned Sessions Court has held that application under section 438 of Code of Criminal Procedure, 1973 is not maintainable in view of the bar under section 18 of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Hence, applicant had approached this Court.

3) Learned counsel for the applicant submits that the allegations are similar in nature. Learned counsel rightly claims parity with the applicants in Criminal Anticipatory Bail Application No. 1192 of 2014.

4) Taking into consideration the fact that applicants in Criminal Anticipatory Bail Application No. 1192 of 2014 are protected, present applicant also deserves same protection. Hence, following order.

**ORDER**

- (i) Application is allowed.
  - (ii) In the event of arrest, applicant be enlarged on bail on furnishing P. R. bond in the sum of Rs. 15,000/- and one or two sureties in the like amount.
  - (iii) Applicant shall report to the police station as and when called
- Application stands disposed of.

**(SMT. SADHANA S. JADHAV, J.)**