

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1295 OF 2015

1. Mansor Shaikhlal Mulani,	... Applicants.
2. Shaikhlal Khansaheb Mulani,	(Org. Accused
3. Anwar Imam Mulani,	No. 2 - 8)
4. Sou. Ruksana Shaikhlal Mulani,	
5. Hanumant Balbhim Thombare,	
6. Namdev Balbhim Thombare,	
7. Sou. Rukhmini Balbhim Thombare.	

V/s.

The State of Maharashtra	... Respondent.
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Mr. Rahul S. Kate, Advocate for the Applicants.
Mr. S.S. Pednekar, A.P.P. for the Respondent - State.

CORAM : REVATI MOHITE DERE, J.
DATE : 15th SEPTEMBER, 2015

P.C. :

1 Heard learned counsel for the applicants and the learned APP for the State.

2 By this application, the applicants seek pre-arrest bail in connection with C.R. No. 261 of 2015 registered with the Baramati Police Station, for the alleged offences punishable under Sections 143, 147, 149, 323, 452, 504, 506 read with section 34 of the Indian Penal Code and under section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and under section 71(D) of the Protection of Civil Rights Act.

3 According to the complainant-Dattatraya Bhise, eight persons including the applicants came to his house on 8th August, 2015 at about 9:00 a.m.. The complainant has alleged that original accused no.1 Javed Mulani entered his house and abused him on his caste. It is further alleged that all the applicants assaulted the complainant and his family members with fist and kick blows.

4 Learned counsel for the applicants states that with respect to the same incident, Rukhsana Mulani-applicant no.4 in the present application, has also lodged a complaint which was registered vide C.R. No. 262 of 2015 with the same police station alleging offences punishable under Sections 143, 354, 323, 504, 143, 147 149 read with section 34 of the Indian Penal Code. The Complainant in the present C.R. is an accused in C.R. No. 262 of 2015.

5 Learned counsel for the applicants submits that Javed Mulani, who is alleged to have entered the house and abused the complainant on the basis of his caste was arrested and thereafter, enlarged on regular bail. He submits that the allegations against the present applicants is that they assaulted the persons present in the house by fist and kick blows.

6 Perused the FIR's and the injury certificate. The nature of the injuries sustained by the injured are simple in

nature. Considering the fact that there are cross cases with respect to the same incident and the role played by the present applicants, the applicants are granted anticipatory bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- each with one or two sureties in the like amount;
- (ii) The applicants shall co-operate with the investigating agency, and shall attend the concerned police station, as and when called.
- (iii) The applicants shall not tamper or attempt to influence the complainant, or the witnesses or any other person concerned with the case.

7 The application is accordingly disposed of.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)

CERTIFICATE

*Certified to be true and correct copy of the original
signed order.*
