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

ANTICIPATORY BAIL APPLICATION NO.1348 OF 2015

Bajirao Pandurang Sapkal	... Applicant
Vs	
The State of Maharashtra	... Respondent

Mr.P.G.Sarda, for the Applicant.

Ms.P.P.Shinde, APP for the Respondent – State.

Police Head Constable – Gajanan Laxman Potdar, Kokrud Police Station, Sangli.

**CORAM : REVATI MOHITE DERE, J.
DATE : 08th SEPTEMBER, 2015**

P.C. :

1. Heard learned counsel for the Applicant and learned APP for the Respondent - State.
2. By this Application, the Applicant seeks pre-arrest bail, in connection with C.R. No. 81 of 2015, registered with the Shirala Police Station, Sangli for the alleged offences punishable under Sections 3(1)(X), 3(1), 3(2)(Va) of the SC & ST Act and under Section 7(1)(D) of Protection of

Civil Rights Act and under Sections 336, 323, 504 r/w 34 of the Indian Penal Code.

3. The FIR has been lodged by one Pratap Rajaram Kale on 16th August, 2015. He has alleged that in the Gram Panchayat meeting which was held on 15th August, 2015 the present applicant abused him on the basis of his caste and one Shivaji Patil pushed him, as a result of which he sustained an injury.

4. Learned Counsel for the Applicant submitted that in the Gram Panchayat Meeting which was held on 15th August, 2015, several persons were present and that a Resolution was passed in the said meeting in which it was decided to take action against the said Pratap Rajaram Kale, the complainant in the present case. According to him, it was proposed that the Gram Panchayat would lodge a complaint as against the said Pratap, as he was using sub-standard material for the construction of roads. He submitted being aggrieved by the said Resolution, the the present FIR has been lodged making baseless allegations.

5. Learned APP states that apart from the statement of the complainant,

there are statements of the father of the complainant and two others, who are neighbourers of the complainant, who reiterate the same. She also submits that there are statements of other witnesses, like that of the Gram Sevak, which are to the contrary i.e. with regard to the alleged abuses given to the complainant on the basis of his caste.

6. Considering the nature of allegations and the material on record, the applicant is granted anticipatory bail on the following terms and conditions :-

ORDER

- i) In the event of arrest, the Applicant be enlarged on bail on furnishing P.R.Bond in the sum of Rs.10,000/- with one or two sureties in the like amount ;
- ii) The Applicant shall attend the Shirala Police Station, Sangli, on every Saturday between 10.00 a.m. to 1.00 p.m., till the filing of the charge-sheet ;
- iii) The Applicant shall not tamper or attempt to contact or influence the complainant or any persons concerned with the case ;

- iv) The Applicant shall co-operate in the conduct of the trial.
- 7. The Application is allowed and disposed of in above terms.
- 8. It is made clear, that the observations made herein are prima facie and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.
- 9. Parties to act upon the authenticated copy of this order.

REVATI MOHITE DERE, J.