

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No.690 of 2015
[Rupesh Baban Kakde Vs. State of Mah.]

**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Mr. R.S. Naktode, Adv., for the applicant.
Mr. Bangadkar, APP for respondent.

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CORAM : V.M. DESHPANDE, J.

DATE : 07th October, 2015.

Heard Mr. R.S. Naktode, learned counsel for the applicant and Mr. Bangadkar, learned APP for the respondent-State.

The applicant is arrested on 29th August, 2015 in connection with Crime No. 170/2015 registered with Police Station, Bhadrawati, Distt. Chandrapur, for the offences punishable under Sections 354, 448 and 506 of Indian Penal Code and Section 3 (1) (xi) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act. 1989.

The First Information Report lodged by the prosecutrix is dated 29th August, 2015 for the incident dated 28th August, 2015. In the First Information Report, she stated that the present applicant picked up a

quarrel with the father-in-law of the first informant for not giving him a mixture of tobacco and betel nut, which is commonly known as “Kharra” and, therefore, under the influence of liquor, the applicant was making abuses. However, it is not stated that the abuses were in the name of caste. According to First Information Report, thereafter, the present applicant left the said place. However, he again returned and at that time, he caught hold of the hand of mother-in-law of the first informant. That time, the first informant tried to intervene in the said fracas. It is alleged that the applicant also caught hold of her hand and used abusive words. These are the allegations in the First Information Report.

Looking to the aforesaid allegations, in my view, merely because the charge-sheet is not filed, the applicant need not continue his presence in the jail. That leads me to pass the following order:-

ORDER

- [a]** Criminal Application [BA] No. 690 of 2015 is allowed.
- [b]** The applicant – Rupesh Baban Kakde be released on bail on he executing a personal bond of Rs. 25,000/- [rupees twenty-five thousand only] with one solvent surety in the like amount in respect of Crime No. 170/2015 registered

with Police Station, Bhadrawati, Distt. Chandrapur, for offences punishable under Sections 354, 448 and 506 of Indian Penal Code, and Sections 3 (1) (xi) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act.

[c] Bail before Trial Court.

[c] The Applicant shall attend the Police Station once in a week, preferably on every Saturday between 2.00 p.m., and 5.00 p.m., till the charge-sheet is filed.

With this, the application is allowed and disposed of.

Judge

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