

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3600 OF 2016

1] Kundlik @ Namdeo S/o Dattarao Nagare
2] Radhesham S/o Nivrutti Ghuge
3] Vikas S/o Prakash Ghuge .. Applicants

Vs.

The State of Maharashtra .. Respondent

.....
Mr. S.K. Chavan, Advocate for the applicants
Mr. A.S. Shinde, APP for the respondent-State
.....

CORAM : N.W. SAMBRE, J.
DATE : 28/07/2016

ORAL ORDER :

Heard.

2. The applicants are seeking pre-arrest bail in Crime no. 82 of 2016 registered at Basamba Police Station, Dist. Hingoli for the offences punishable under section 323, 324, 341, 506 r/w. 34 of the Indian Penal Code and under section 3(1)(x) and 3(1)(v) of the Scheduled Castes and Scheduled Tribes

(Prevention of Atrocities) Act.

3. The prosecution story is that the accused have stopped the complainant while he was travelling with one Sanjay Satav on the road and uttered the caste based insulting words and also assaulted him.

4. Perused the investigation papers. There is counter FIR resulting into registration of crime no.83 of 2016 for the offences punishable under section 324, 323 of the Indian Penal Code.

5. The FIR depicts that the applicants have uttered the insulting words based on the caste in the background of lost elections of the chairman of the society.

6. There is no medical evidence on the record. In this background, in view of the counter FIR and the election dispute, false implication of the

applicants cannot be ruled out. Hence, the following order:-

7. In the event of the arrest of the applicants in Crime no. 82 of 2016 registered with Basamba Police Station, Dist. Hingoli for the offences punishable under section 323, 324, 341, 506 r/w. 34 of the Indian Penal Code and under section 3(1)(x) and 3(1)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, they be released on bail upon their executing P.R. bonds in the sum of Rs.15,000/- (Rs. Fifteen Thousand) each with one surety each in the like amount.

8. The applicants shall attend the concerned Police Station as and when called.

9. The applicants shall not tamper with the prosecution evidence or influence the witnesses in any manner.

10. Criminal Application stands disposed of accordingly.

[N.W. SAMBRE]
JUDGE

arp/-