

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

ANTICIPATORY BAIL APPLICATION NO.325 OF 2016

Rajendraprasad G. Jagdale ...Applicant
Versus

The State of Maharashtra ...Respondent

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Mr. V.V. Purwant i/b. Mr. Akshay P. Shinde for the Applicant.
Ms Veera Shinde, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 22ND FEBRUARY, 2016.

P. C. :

This is an application for anticipatory bail filed by the aforesaid Applicant in apprehending his arrest in C.R. No. 22 of 2016 registered at Mahatma Gandhi Police Station, Miraj, District-Sangli, for offences punishable under section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989.

2. I have perused the records and considered the submissions advanced by the learned counsel for the Applicant and the learned APP for the Respondent -State. The records prima facie reveal that first informant Sunil Tukaram Danane had lodged FIR dated 10.2.2016 wherein he had alleged that on 14.8.2014 the Applicant herein and others had abused him with reference to his caste. The FIR is lodged in respect of the incident, which had occurred about 1 & ½ years prior to

the FIR. The FIR does not prima facie indicate that the incident had occurred in public view. Hence, in my considered view bar under section 18 of the Scheduled Castes and Scheduled Tribes Act is not attracted. The nature of the allegations do not warrant custodial interrogation. The Applicant is a permanent resident of Sangli and there is no possibility of the Applicant absconding or thwarting from the course of investigation. The Applicant does not have criminal antecedents.

2. Considering the above facts and circumstances, the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicant in C.R. No. 22 of 2016 registered at Mahatma Gandhi Police Station, Miraj, District-Sangli, the Applicant shall be released on bail on furnishing bail bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one surety to the like amount to the satisfaction of Sessions Court, Sangli.
- (ii) The Applicant shall report to the Investigating Officer for four days in between 10.00 a.m. to 1.00 p.m. from the date of receipt of this order.

(ANUJA PRABHUDESSAI, J.)