

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 84 OF 2016

(SWAPNIL BHIKAJI NALINDE...VS..STATE OF MAH., THR. PSO, PS CHANNI, TQ. PATUR, DIST.
AKOLA.)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : FEBRUARY 26, 2016.

Heard Shri N.R.Tekade, advocate for the applicant and Shri A.K. Bangadkar, A.P.P. for the non-applicant.

The applicant is seeking pre-arrest bail apprehending arrest in the crime registered against him pursuant to the directions under Section 156 of the Code of Criminal Procedure for the offences punishable under Sections 447, 379, 506 r/w 34 of the Indian Penal Code and Section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Considering the accusation made by the complainant, *prima-facie*, it cannot be said that the offence punishable under Section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is made out and the prosecution will have to prove it. The applicant is not involved in any crime earlier.

Looking to the nature of the allegations, in my view, the applicant is entitled for pre-arrest bail. Hence, the following order :

In the event of arrest in Crime No.M-57 of 2015 registered by the non-applicant, the applicant be released on bail on furnishing P.R. Bond for Rs.Five Thousand with one solvent surety in the like amount.

The application is allowed in the above terms.

JUDGE

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