

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 3246 OF 2017

1. Bhatu Himmat Patil ... **Applicants**
Age 50 years, Occu: Agril.

2. Samadhan Natha Patil,
Age 40 years, Occu: Agril.

VERSUS

1 The State of Maharashtra ... **Respondent**
Through Sindhkheda Police Station
Taluka Sindhkheda, Dist. Dhule

Mr. Amol S. Sawant, Advocate for the applicants
Mr. A. R. Borulkar , APP for the State.

CORAM : K. L. WADANE, J.

DATE : 3rd August, 2017

ORDER:

1. Heard Mr. Sawant, learned counsel for the applicant and Mr. Borulkar, learned APP for the State.

2. Present Criminal Application is filed under section 438 of the Code of Criminal Procedure for grant of anticipatory bail in connection with Crime No.75/2017, registered with Sindhkheda Police Station, District Dhule for the offences punishable under sections 143, 147, 149, 323, 504, 506 of the Indian Penal Code and under section 3(1)(r)(s) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Amended Act, 2015.

3. One Sevabai Ahire lodged complaint to the police station alleging that on 20.05.2017, at about 12.00 noon, there was quarrel between another accused Yogesh Patil and the complainant. At about 6.00 p.m, the complainant informed her husband about the quarrel, on which, her husband and sons went to the house of Yogesh Patil, where the present applicants were present. At that time the husband of the complainant enquired about why he abused his wife, on which, he again abused the husband of the informant on his caste. There is further allegation that all the accused persons then started assaulting the husband of the informant with kick and first blows. On the basis of information given by the informant, offence as referred above came to be registered.

4. Mr. Sawant, the learned counsel for the applicants submits that main accused against whom there are allegation of abusing on caste is already released on bail. The allegations against the present applicants are vague. There are no allegation against the applicants that they have abused either informant or her husband on their caste.

5. In view of the above, the applicants can be

protected from their arrest. Hence following order:

O R D E R

- i. In the event of arrest of the applicants in connection with Crime No.75/2017, registered with Sindhkheda Police Station, District Dhule, they shall be released on bail on their executing P.R. Bond of Rs. 15,000/- [Rs. Fifteen thousand only] each, with one solvent surety in the like amount.
- ii. Criminal application disposed of.

(K. L. WADANE, J.)

JPC