

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 9 OF 2017

1. Mahaveer Ramrao Pujari		
2. Bhausahab Ramrao Pujari	...	Applicants
Vs.		
The State of Maharashtra	...	Respondent

Mr. Jaydeep D. Mane, Advocate for the applicants.

Mr. S.S. Pednekar, APP for the State.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **6th January, 2017.**

P.C.:

This Application is moved by the applicants/accused for bail, as they are facing prosecution for the offences punishable under sections 3(1)(r) (s), 3(1)(w)(ii), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and also under sections 324, 323, 504, 506, 143, 147, 148, 149 and 354(A)(I) of the Indian Penal Code in C.R. No. 244 of 2016 with Kamati Police Station, Solapur. The complaint was registered at the instance of Parmeshwar Kamble on 8th December, 2016.

2. It is the case of the complainant that he belonged to Mahar caste. On 7th December, 2016 in the village meeting, his brother and applicant-accused and co-accused had verbal altercations, however, the quarrel was settled. On the same day, in the evening at around 7 p.m. the applicant-accused and co-accused armed with sticks and rods went to the house of the complainant. They all abused the complainant and his family

members by their caste and assaulted the complainant, his brother, mother and sister. Thereafter the offence was registered against the applicant-accused and co-accused. The applicants-accused were taken in custody on 8th December, 2016. Hence, this Bail Application.

3. The learned counsel for the applicants-accused has submitted that the applicants-accused do not have any criminal record. The applicants have not uttered any derogatory words. They are innocent. Except the offence under Scheduled Castes and Scheduled Tribes, the offence under other sections are bailable.

4. Learned APP opposed the Bail Application, however, on query, he informs the Court that they belonged to nomadic tribe.

5. The applicants-accused are in prison since one month. They have no criminal record. The utterance is not attributed specifically to the accused persons. They belonged to nomadic tribe. Considering this fact, I am inclined to grant bail to the applicants/accused on the following terms and conditions:

ORDER

- (i) Application is allowed.
- (ii) The applicants/accused be enlarged on bail on furnishing P.R. Bond in a sum of Rs.15,000/- each with one or two sureties in

the like amount;

- (iii) The applicants shall not contact, harass or threaten the complainant and his family members
- (iv) The applicants shall attend all the Court dates.
- (v) The applicants shall not abscond or leave India without prior permission of the Court and furnish their permanent address to the Investigating Officer alongwith documentary proof of their address;

7. The Application for bail stands disposed of on above terms.

(MRIDULA BHATKAR, J.)