

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

CRIMINAL APPLICATION (ABA) NO.833 OF 2016  
(Rajusing Amarsing Rathod vs. The State of Maharashtra)

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

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Shri P.S. Patil, Advocate for applicant.

Shri S. Sirpurkar, Additional Public Prosecutor for  
respondent.

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CORAM : P.N. DESHMUKH, J.

DATED : JANUARY 13, 2017

Heard learned Counsel for both sides.

This application is for bail before arrest in  
Crime No.343/2016 registered under Section 506 of  
Indian Penal Code and Section 3(1)(r) and (s) of the  
Scheduled Castes and Scheduled Tribes (Prevention of  
Atrocities) Act, 1989.

Shri Patil, learned Counsel for applicant,  
submits that applicant is falsely involved by complainant  
due to applicant's lodging of report on 27/11/2016,  
by lodging her report subsequently on 5/12/2016. It is  
submitted that applicant and complainant are  
neighbours having adjoining fields. As complainant was  
found to have obtained electric connection illegally and  
without permission of Maharashtra State Electricity  
Board, report was lodged by applicant as per  
Annexure-2 to the application.

Applicant has thus filed report on  
27/11/2016 as aforesaid, on the strength of which

offences are registered under Sections 323, 504 and 506 of Indian Penal Code. From the report dated 5/12/2016 it is revealed that applicant on 27/11/2016 had quarrelled with complainant. In any event, incident reported by complainant on 5/12/2016 is of 27/11/2016, of which report is already given by applicant. It is, therefore, prima facie noted that applicant is falsely involved subsequently. In that view of the matter, interim protection is liable to be confirmed as per order below :

Interim protection granted to applicant on 19/12/2016 stands confirmed on the same terms and conditions. Applicant is, however, directed to attend Investigating Officer, if called, till filing of the charge-sheet. The criminal application is accordingly allowed.

JUDGE

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