

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 19 OF 2018**

Viresh Kalyanrao Jaladi

..Appellant/
Applicant No.1

Versus

The State of Maharashtra and anr.

..Respondents.

Mr. Ritesh Thobde with Mr. Sagar Tambe for the Appellant.

Mrs. M.M. Deshmukh, APP for the Respondent – State.

**CORAM : B. R. GAVAI &
B. P. COLABAWALLA, JJ.
DATE : 24th JANUARY, 2018.**

PC.

1] The appeal challenges the order passed by learned Sessions Judge, Pandharpur on 14th December 2017 in Special Case No. 56 of 2017 thereby rejecting the application for grant of bail filed by the present appellant.

2] The appellant has been charged for the offences punishable under Section 306 of Indian Penal Code read with the offences punishable under Sections 3(1)(w)(ii), 3(2)(va), 3(2)(5) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act (SC and ST Act).

3] As held by the Apex Court in the case of *Niranjan Singh vs. Prabhakar R. Kharote reported in (1980) 2 SCC 559*, detail elaboration of the evidence at the stage of bail will have to be avoided.

4] In the present matter, the investigation is completed, the chargesheet is filed, the witnesses are relatives of the deceased and as such there is no possibility of the same being influenced by the appellant.

5] *Prima facie*, we find that the provisions of SC and ST Act would not be attracted in the present case.

6] We also perused the Call Detail Reports on record. In that view of the matter, we find that the appeal deserves to be allowed and the same is allowed. The appellant is directed to be released on bail on furnishing bail bonds in the sum of Rs.15,000/- ((Rupees Fifteen Thousand only) with one or more sureties in the like amount.

7] The appellant shall report to the Jail Road Police Station, Solapur on first Monday of every month.

[B. P. COLABAWALLA, J.]

[B. R. GAVAI, J.]