

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

CRIMINAL APPEAL NO. 570 OF 2019

Arjun Laxman Salve ..VS.. The State of Maharashtra and another

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

Court's or Judge's orders

Shri M.N. Ali, Advocate for the appellant.
Shri S.J. Kadu, A.P.P. for respondent Nos. 1 / State.

CORAM : Z.A. HAQ AND
PUSHPA V. GANEDIWALA, JJ

DATED : 20th SEPTEMBER, 2019

This is an appeal under Section 14A of the Scheduled Castes And The Scheduled Tribes (Prevention Of Atrocities) Act, 1989 against an order dated 29/07/2019, thereby rejecting the bail of the appellant in Crime No. 273/2019 for the offences punishable under Sections 307, 143, 147, 148, 149 of the Indian Penal Code.

At the outset, undisputedly, five out of seven accused in this crime have already been released by this Court on bail. The role attributed to the present appellant is not greater than the role attributed to the main accused-Akbar Sheikh. The appellant is in jail since 01/07/2019. Learned APP could not point out any criminal antecedent against the present appellant. On the ground of parity, we are inclined to allow the appeal and the same is accordingly allowed. We pass the following order :

ORDER

- I] The Criminal Appeal is allowed.
- II] The impugned order dated 29/07/2019 passed by the learned Additional Sessions Judge, Washim in M.C.A. No. 307/2019 is set-aside.
- III] The appellant / accused - Arjun Laxman Salve shall be released on bail on executing PR. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand only) with one solvent surety in the like amount.
- IV] The appellant shall attend the trial before the Sessions Court on every date unless granted exemption by the Sessions Court. If the appellant fails to attend the trial on any date, learned Sessions Judge shall make recommendation for cancellation of bail.
- V] The appellant shall not tamper with the prosecution witnesses, in any manner.
- VI] The learned Sessions Judge, Washim is directed to finish the trial as expeditiously as possible, preferably within a period of six months from today.

JUDGE**JUDGE**