

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPEAL NO. 346 OF 2020**

Shaikh Yakub s/o Shaikh Kasar Qureshi,  
Aged about 32 yeears, Occ. Business,  
R/o Malsur Gram Panchayat, Chhani,  
Tq. Patur, Distt. Akola.  
At present in Central Jail, Akola.

.... **APPELLANT**

**// VERSUS //**

1. State of Maharashtra, through Police  
Station Officer, Chhani Police Station  
Chhani, Tq. Patur, Distt. Akola

2. Sau. Kiran Chetan Ambhore,  
Aged about 30 years, Occ. household,  
R/o at present at post Madsaur,  
Tq. Patur, District Akola.

.... **RESPONDENTS**

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Shri K.H. Anandani, Advocate for appellant.  
Shri S.D. Sirpurkar, A.P.P for respondent-State.  
None for Respondent no. 2. (served).

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**CORAM : VINAY JOSHI, J.**  
**DATED : 18/12/2020.**

**JUDGMENT :**

Heard.

2. **ADMIT.** Considering the issue involved in the matter and

by consent of the learned Counsel appearing for the parties, Appeal is taken up for final disposal.

3] This is an appeal challenging the order of rejection of regular bail by the Special Court vide order dated 24.06.2020. At the instance of Crime registered against the appellant vide C.R. No. 181 of 2020 at Channi Police Station, district Akola for the offence punishable under Sections 354, 354-D, 504, 506 of the Indian Penal Code and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of atrocities) Act, 1989, the appellant came to be arrested. The Special Court refused to release the appellant on regular bail, hence this appeal. Having regard to the facts, this Court has granted interim protection vide order dated 07.07.2020 which is prevailing till date.

5. The allegations are to the extent that appellant was looking to the informant lady with ill intention and asked her to talk on mobile. There are no allegations about actual physical contact. It is appellant's case that since he has filed non-cognizable report against the father of informant preceding to the incident, therefore false report has been lodged. Already appellant has faced custodial interrogation. It is informed that, charge-sheet has been filed. The affidavit-in-reply no

where say that appellant has misused liberty or any other special circumstance to deprive liberty of appellant.

6. In view of that the appellant has made out a case for grant of bail. Therefore following order is passed :

- (a) The Criminal Appeal stands allowed.
- (b) The impugned order dated 24.06.2020 is hereby quashed and set aside.
- (c) Interim order dated 07.07.2020 is hereby made absolute on the same terms and conditions with a modification that condition of attendance shall continue for six months from today.

7. The Criminal Appeal stands disposed of accordingly.

**JUDGE**

*Trupti*