

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

Criminal Application (ABA) _____ of 2020 (LD-VC No. 737 of 2020)

[Prashant s/o Ashokrao Fokmare Vs. State of Maharashtra and anr.]

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri I.S. Charlewar, Advocate for the applicant
Shri T.A. Mirza, APP for the respondent/State

CORAM : M. G. GIRATKAR, J.

DATE : 14/07/2020

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Heard learned Counsel Shri Charlewar for the applicant.
3. Issue notice to the respondent.
4. Shri Mirza, learned APP waives notice for the respondent.
5. Title of the application is as under:

“Application Under Section 438 of Code of Criminal Procedure R/W Section 14-A of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, for the Grant of Bail”.

Though, Section 14-A of the Scheduled Castes and

Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short the “Act of 1989”) is mentioned in the title of the application, it is not registered as an Appeal, as provided under Section 14-A the Act of 1989.

6. Learned Counsel Shri Charlewar for the applicant submits that the applicant be protected for three days. Looking to allegations in the report, it appears that, there is property dispute and there was quarrel between the complainant and the applicant. Looking to the allegations in the report, ad-interim anticipatory bail is granted till 17.07.2020 on the following conditions:

(i) In the event of arrest of applicant - Prashant s/o Ashokrao Fokmare in Crime No. 154/2020 registered with Police Station, Telhara, District Akola for the offences punishable under Sections 3(1)(r) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 509, 504 and 506 of the Indian Penal Code, he be released on his executing a P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one solvent surety of like

amount.

(ii) He shall co-operate the investigating agency.

7. The applicant is directed to file appeal as provided under Section 14-A of the Act of 1989.

8. Accordingly, the application is disposed of.

9. This order be communicated to the Counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

SMGate