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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

939 CRIMINAL APPEAL NO.138 OF 2021

**EKNATH DHONDIBA MALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr. Rajendra Deshmukh, Senior Advocate a/w Mr. Govind Kulkarni, Advocate i/b Mr. V. D. Gunale, Advocate for the appellants
Mrs. G. L. Deshpande, APP for the respondent/State
Mrs. Jayashri Gorpade, Advocate for the respondent No.2 (appointed)

CORAM : N. R. BORKAR, J.

DATE : 17-12-2021

P. C.

. This appeal takes an exception to the order dated 01-03-2021 passed by the learned Additional Sessions Judge, Beed below Exh.1 in Criminal Bail Application No.110/2021.

2. The appellants who are accused in Crime No. 23 of 2021 registered at Beed City Police Station, Dist. Beed for the offences punishable under Sections 177 and 182 of the Indian Penal Code and

Sections 3(1)(P), 3(1)(q) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act had filed an application for anticipatory bail. The said application came to be rejected by the order impugned.

3. The respondent No.2 herein had filed the application under Section 156(3) of the Code of Criminal Procedure. The learned Additional Sessions Judge, Beed directed the City Police Station to register the crime against the present appellants for the offences punishable under Sections 177 & 182 of the Indian Penal Code and Sections 3(1)(p) & (q) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act) by order dated 03-02-2021. The present appellants had filed the writ petition No. 201 of 2021 against the said order dated 03-02-2021 passed by the learned Additional Sessions Judge. This court, by order dated 10-02-2021 issued notice and granted interim relief in terms of prayer clause-D and thereby staying the order dated 03-02-2021 passed by the learned Additional Sessions Judge.

4. The learned APP, on instructions, submits

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that till the order of stay passed by this court, in writ petition No. 201 of 2021 is in force, no coercive action will be taken against the appellants nor they will be arrested.

5. In view of the above statement present appeal is disposed of. The appellants are at liberty to file fresh application for anticipatory bail, in case, such situation arises.

[N. R. BORKAR, J.]

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