

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**3. CRIMINAL APPLICATION NO. 2129 OF 2021
IN
CRIMINAL APPEAL NO. 766 OF 2019**

**DWARKADAS S/O YASHWANT BANSOD @ PATHRIKAR AND ORS.
VERSUS
THE STATE OF MAHARASHTRA AND ANR**

...
Advocate for the applicant : Mr. V.R. Dhorde
APP for Respondent No. 1-State : Mr. R.B.Bagul
...

CORAM : N.R. BORKAR , J.

DATE : 11th October, 2021.

P. C. :

1. This is an application for relaxation of condition. This Court while admitting the appeal and releasing the applicants on anticipatory bail by order dated 12.03.2021 in Criminal Appeal No. 766 of 2019, imposed the condition that the present applicants shall not enter the area of village Pathri until conclusion of trial.

2. Heard learned counsel for the applicant and the learned APP for the respondent-State.

3. Learned counsel for the applicants submits that the applicants are agriculturist and they owned lands at village Pathari

and their entire family is dependent upon them. It is submitted that if the applicants are not allowed to enter village Pathri, then the entire family of the applicants would suffer.

4. The applicants are facing trial for the offences punishable under Section 3 (1) (c) (x) and 3 (2) (va) (v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Considering the nature of the offence, this Court has imposed the condition that the applicants shall not enter the area of village Pathri. I am therefore, not inclined to relax the condition imposed by this Court vide order dated 12.03.2021. The application is rejected.

(N.R. BORKAR)
JUDGE

mahajansb/