

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

CRIMINAL APPEAL NO.684 OF 2020

2. Basav S/o Laxman Ekale,
Age : 27 Years, Occ. Agriculture,
R/o. Kharab Khandgaon,
Kukhed, Dist. Nanded. .. Appellant

V E R S U S

1. The State of Maharashtra
2. Shivaji Ganpat Kamble,
Age : 50 Years, Occ. Agriculture,
R/o. Kharab Khandgaon,
Mukhed, Dist. Nanded. .. Respondents

...
Advocate for Appellants : Mr. S.D. Hiwrekar
APP for Respondents: Mr. S. P. Sonpawale
Advocate for Respondent No.2 : Mrs. H.R. Lomate
...

**CORAM : N.R. BORKAR, J.
DATE : 22.10.2021**

PER COURT :-

This appeal takes an exception to the order dated 27.10.2020 passed by the learned Additional Sessions Judge Kandhar, District Nanded in Criminal Bail Application No. 196 of 2020.

2. On 06.01.2021, the appeal is already dismissed as regards the appellant No.1.

3. As regards the appellant No.2 the allegations are that he assaulted the complainant by stone. I have perused the injury certificate and nature of injury is simple. This Court has already granted interim anticipatory bail to the appellant No.2 by order dated 06.01.2021. There are no allegation against appellant No.2 in relation to offences punishable under the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act. Considering these facts following order is passed.

O R D E R

- (i) Appeal is partly allowed.
- (ii) In the event of arrest of appellant No.2 Basav S/o Laxman Ekale, in connection with Crime No. 340 of 2020, registered with Mukhed Police Station District Nanded, for the offences punishable under Sections 324, 323,504, 506 read with 34 of IPC and under Sections 3(10(r)(s), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, he be released on PR and SB of Rs. 15,000/- (fifteen thousand).
- (iii) Appellant No.2 shall not tamper with the evidence of the prosecution in any manner nor indulge in any criminal activity.
- (iv) Appeal is disposed of.
- (v) Fees of the learned Advocate Mrs. H.R.Lomate, appointed on behalf of respondent no.02, be

paid in accordance with rules, through the High Court Legal Services Sub Committee at Aurangabad.

(N. R. BORKAR)
JUDGE

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