

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

CRIMINAL APPEAL NO. 214 OF 2021

Umangkumar s/o Sureshkumar Shukla
 Aged about 25 years,
 Occ.- Journalist, R/o Rashtrasaint Ward,
 Arvi, Taluka – Arvi, Dist. Wardha.

... **APPELLANT**

VERSUS

1. State of Maharashtra, through
 Police Station Officer,
 Arvi, Wardha, Dist. Wardha.
2. Shubhangi d/o Sujit Bhivgade,
 aged about 28 years, Occ. Social
 worker r/o Ambedkar Ward, Arvi,
 Tahasil – Arvi, Dist. Wardha.

... **RESPONDENTS**

Shri M.V. Rai, Advocate for the Appellant
 Shri I.J. Damle, A.P.P. for the respondent no.1-State.
 Shri S.R. Jaiswal, Advocate for Respondent no.2.(appointed)

CORAM : **VINAY JOSHI, J.**
DATED : **06/08/2021**

JUDGMENT :

Heard learned Counsel appearing for the parties.

2. **ADMIT.** By consent of learned Counsel appearing for the

parties, the appeal is taken up for final hearing.

3. The Appellant is came to be arrested in Crime No.341 of 2021 by Aarvi Police Station, District Wardha for the offence punishable under Sections 341, 504 and 506 of the Indian Penal Code and Sections 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the SC and ST Act'). The application for grant of bail came to be rejected by the Additional Sessions Judge, Wardha by order dated 18.05.2021 in Criminal Bail Application No.196 of 2021, and therefore, this appeal.

4. Learned A.P.P. appearing for the respondent no.1/State as well as learned Counsel for respondent no.2 has opposed to grant bail by pointing towards seriousness of crime.

5. At the instance of report lodged by the informant dated 03.05.2021, the crime was registered. It is alleged that on 29.04.2021, around 12.00 noon, the appellant has accosted the informant in the way, humiliated her and abused her in the name of caste. On the basis of said allegations, crime was registered in which the appellant was arrested.

6. The charged offences would attract the maximum punishment of imprisonment which may extend to five years. Already, the appellant has faced the custodial interrogation. Having regard to the nature of accusation, further detention of the appellant is not necessary. The trial will take its own time for disposal in accordance with law.

7. In view of that the appellant is entitled for bail, hence, the following order :

- (a) The Criminal Appeal is allowed.
- (b) The impugned order dated 18.05.2021 passed by the learned Additional Sessions Judge, Wardha in Criminal Bail Application No.196 of 2021 is hereby quashed and set aside.
- (c) Interim order dated 28.05.2021 passed by this Court is hereby made absolute on same terms and conditions with a rider that the appellant shall attend concerned Police Station as ordered, till filing of charge-sheet.

8. Fees for the appointed Counsel be paid as per Rules.

JUDGE

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