

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

971 CRIMINAL APPEAL NO.809 OF 2022

**GANGAPRASAD LAXMAN YEMEWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr. Sachin S. Panale, Advocate for the appellants
Mr. A. Pengare, Advocate for the respondent No.2
Mrs. D. S. Jape, APP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 02nd DECEMBER, 2022

P. C.

1. Heard the learned advocates for the parties.
2. This court by order dated 19-10-2022 has already protected appellant Nos.1,4 and 5. No relief was granted to appellant Nos. 2 and 3. It is reported that appellant Nos. 2 and 3 came to be arrested and now their appeal has become infructuous. This court while issuing the order had already considered the contents of the FIR and had come to the conclusion that there are no specific allegations so far as appellant Nos. 1, 4 and 5 are concerned. After hearing the

parties and perusing the papers, it appears that there is no material on record to show that they have abused in the name of caste.

3. Learned advocate for respondent No.2 submits that appellant No.4 has in fact abused the mother of informant and has thrown lump of clay at her.

4. Considering the above, this court finds that appellant Nos. 1, 4 & 5 deserve to be released on bail in the event of their arrest. The appeal stands allowed to the extent of appellant Nos. 1, 4 and 5 in terms of prayer clause (B). The interim order dated 19-10-2022 passed by this court stands confirmed. The appeal stand disposed off as infructuous to the extent of appellant Nos. 2 and 3.

[KISHORE C. SANT, J.]