

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

CRIMINAL APPEAL NO.645 OF 2021

1. Santosh s/o Laxman Palodkar
2. Walmik Motiram Wagh.
3. Laxman s/o Baburao Sonawane
4. Vaibhav s/o Raghunath Wagh ... **APPELLANTS**

VERSUS

The State of Maharashtra & anr. ... **RESPONDENTS**

.....
Mr. S.J. Salunke, Advocate for appellants
Mr. S.P. Sonpawale, A.P.P. for respondent No.1 – State
Mr. U.L. Telgaonkar, Advocate for respondent No.2.
.....

CORAM : R. G. AVACHAT, J.

DATE : 27th January, 2022.

PER COURT :

After hearing the learned counsel for the appellants for some time, he came around to withdraw the appeal for the appellant No.1 Santosh s/o Laxman Palodkar and appellant No.2 Walmik Motiram Wagh.

2. So far as regards appellants No.3 and 4 are concerned, they have not uttered the words over caste of the

informant. Similarly, no no specific role has been attributed to appellants No.3 and 4. Other accused have already been granted anticipatory bail. On the ground of parity, these two appellants deserve to be granted protection. Hence, the order :

ORDER

(i) The appeal of appellant No.1 Santosh s/o Laxman Palodkar and appellant No.2 Walmik Motiram Wagh is dismissed as withdrawn.

(ii) The appeal of appellant 3 Laxman s/o Baburao Sonawane and appellant No.4 Vaibhav s/o Raghunath Wagh is allowed. In the event of arrest of the appellants No.3 and 4 in connection with Crime No.246/2021, registered at Pishor Police Station, District Aurangabad for the offence punishable under Sections 323, 143, 149, 504, 506 of the Indian penal Code and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, they shall be released on bail on their executing P.R. bond in the sum of Rs.15,000/- (Rupees fifteen thousand) each with one surety in the like amount.

(iii) The appellants No.3 and 4 shall appear before the investigating officer as and when required.

**(R. G. AVACHAT)
JUDGE**

fmp/-