

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

916 CRIMINAL APPEAL NO.805 OF 2022

**DNYANESHWAR @ ARUN DATTATRAY GANGE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr. Kiran A. Misalghongade, Advocate for the appellant in
Appeal No.805/2022

Mr. A. V. Lavte, Advocate for respondent No.2

Mr. Y. G. Gujrathi, APP for the respondent/State

CORAM : KISHORE C. SANT, J.

DATE : 13th JANUARY, 2023

P. C.

1. The appellant has approached this court seeking bail in the event of his arrest in connection with Crime No. 0821/2022 registered at Newasa Police Station, Tq. Newasa, Dist. Ahmednagar on 20-09-2022 for the offences punishable under Sections 341, 504, 506 read with Section 34 of the IPC and Sections 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. Respondent No.2-informant has lodged the said information. The allegations are that one Abhijeet Mate and Pravin Dahale abused the informant in the name of caste.

Present appellant was also with these accused persons. It is alleged that all the accused persons have threatened the informant of dire consequences. It is seen that allegations of abusing the informant in the name of caste are in respect of two other accused persons. Against this accused person the allegations seems to be that he threatened the informant saying that he should not be seen in the village otherwise he will face consequences.

3. Learned advocate for the informant opposes the appeal saying that this accused is seen alongwith other accused persons. Though this accused has not directly abused in the name of caste but, his intention can be seen that he is threatening only because of caste of the informant as he was with other accused persons who abused the informant in the name of caste.

4. Learned APP opposes the appeal stating that this accused may commit similar type of offence if released on bail.

5. Looking to the FIR it does appear that this appellant has not abused in the name of caste and he was only found with the other co-accused persons. Though there are no allegations against this appellant for directly abusing the informant in the name of caste, still it would be necessary to impose the certain conditions upon him while granting relief to him. Hence, the

following order:-

ORDER

- i] The appeal No. 805 of 2022 stands allowed.
- ii] The appellant-Dnyaneshwar @ Arun Dattatray Gange be released on furnishing PR bond of Rs. 15,000/- in connection with Crime No. 0821/2022 registered at Newasa Police Station, Tq. Newasa, Dist. Ahmednagar on 20-09-2022 for the offences punishable under Sections 341, 504, 506 read with Section 34 of the IPC and Sections 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act on following conditions:
 - a] The appellant shall not tamper with the evidence and shall not try to contact any of the witnesses.
 - b] The appellant shall attend the concerned police station as and when directed by the Investigating Officer.
 - c] The appellant shall not indulge into any of the similar type of offences.
- iii] The appeal stands disposed off.

[KISHORE C. SANT, J.]