



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 133 OF 2024

Ratankumar Narayan Pandagale

....Appellant

VERSUS

The State Of Maharashtra And Others

.....Respondents

.....

Mr. Nitin Trimbak Tribhuwan, Advocate for Appellant

Mr. S.R. Wakle ,APP for State

Mr. A.K. Shingare h/f Mr. K.F. Shingare, Advocate for respondent
No. 3 to 5.

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 23rd APRIL, 2024

ORDER :

1. By this appeal filed under section 14A of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellant seeks cancellation of bail granted to respondents No. 3 to 5 in Bail Application No. 98/2024.

2. Appellant lodged FIR on 09.01.2024 with Harsul Police Station, which is registered at C.R. No. 8/2024, under sections 307, 324, 323, 143, 147, 148, 149, 447, 427, 504, 506 of IPC and under section 3(1)(r), 3(1)(s) and 3(1)(g) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

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3. Pursuant to registration of crime, respondents No. 3 to 5 filed Bail Application No. 98/2024, under section 438 of Cr.P.C.. Learned Sessions Judge has allowed the application and granted anticipatory bail to respondents No. 3 to 5. Hence, the present appeal.

4. Heard learned advocate for appellant, learned APP for State and learned advocate for respondents No. 3 to 5. Perused the record.

5. Charge sheet in the present crime is filed on 14.03.2024 and case is numbered as Special Case No. 111/2024. On going through the injury certificate it appears that informant has suffered simple injury on head and vertex area. In the FIR there are no allegations of abuses hurled in the name of caste. In a statement of son of informant recorded two days after lodging of FIR, he has alleged that accused abused in the name of caste. *Prima facie*, there appears discrepancies in the allegations made in the FIR and allegations made by son of informant.

6. Considering the fact charge sheet is filed in the present crime, pre-trial custodial detention of respondents No. 3

to 5 is not necessary. Hence, bail granted to them is not liable to be cancelled in the facts of the present case. Appeal being devoid of merit is dismissed.

[NITIN B. SURYAWANSHI, J.]