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

926 CRIMINAL APPEAL NO. 875 OF 2024

Balaji S/o Jhelaba Kadam

VERSUS

The Superintendent Of Police And Others

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Mr P. P. More, Advocate for Applicant

Mrs D. S. Jape, A.P.P. for Respondent Nos.1 & 2/State

Mr D. M. Shinde, Advocate for Respondent No.3

CORAM : R. M. JOSHI, J.

DATE : 17th October, 2024

PER COURT :-

1. Appellant apprehends arrest in connection with Crime No.0123 of 2024, registered with Malakoli Police Station, Dist. Nanded, for the offences punishable under Sections 143, 147, 148, 149, 307, 324, 323, 294, 504, 506 of the Indian Penal Code; under Sections 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and under Section 135 of the Maharashtra Police Act.

2. Admittedly there are various offences registered against appellant as pointed out by the learned counsel for

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informant. However, in the instant case, on the face of it, allegation against appellant made in the first information report are nothing but pure exaggeration.

3. Learned counsel for informant claims that informant has been assaulted by 7 to 8 persons, whereas isolated injury is caused to him. This shows that, there is no substance in the allegations of the informant. Section 18 bar of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act will not apply.

4. In view of the above, this appeal stands allowed with the following directions :-

ORDER

(ii) In the event of arrest of the appellant, in connection with Crime No.0123 of 2024, registered with Malakoli Police Station, Dist. Nanded, for the offences punishable under Sections 143, 147, 148, 149, 307, 324, 323, 294, 504, 506 of the Indian Penal Code; under Sections 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and under Section 135 of the

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Maharashtra Police Act, he be released on bail on furnishing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) with one surety in the like amount.

(iii) He shall attend the concerned police station as and when required.

(iv) He shall not contact the witnesses directly or indirectly.

(v) He shall not interfere with the evidence in any manner whatsoever.

(vi) He is further directed to cooperate the investigating agency for further investigation.

(v) Learned AGP to communicate this order to the concerned Investigating Officer.

(R. M. JOSHI)
Judge