

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 3068 OF 2024

Hanumant Mahadev Katakdaunde

...Applicant

Versus

The State of Maharashtra

...Respondent

- Mr. Sainath G. i/b Mr. A.V. Kondedeshmukh, for Applicant.
- Mr. Bapu V. Holambe Patil, APP for Respondent – State.

CORAM : MANISH PITALE, J.

DATE : 28th NOVEMBER, 2024.

P. C. :

1. On 19th November, 2024, this Court adjourned the proceedings, as a question arose whether the present application would be maintainable or an appeal under the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, (SC & ST Act), would have to be filed, in the light of the fact that offences under the said Act have been added in the present case. On the said day, the investigation papers were not available with the learned APP, as the concerned Police Officers were busy in election duty and therefore, the proceedings were adjourned.

2. Today when the application is called out for hearing, the learned APP fairly submits that insofar as the applicant is concerned, offences under the provisions of SC & ST Act may not arise, for the reason that the applicant himself also belong to the scheduled caste community, being a relative of the

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first informant.

3. Therefore, the question of maintainability does not arise in the present application.

4. The learned counsel for the applicant argued for sometime and when this Court was inclined to dismiss the application, the learned counsel for the applicant, on instructions, sought permission to withdraw this application.

5. Hence, dismissed as withdrawn.

(MANISH PITALE, J.)