



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

CRIMINAL APPEAL NO. 14 OF 2024

AJAY DATTATREY PATSUTE .. APPELLANT
VS.
RUSHIKESH ASHOK SHITOLE AND ORS. ..RESPONDENTS

Mr. Paras Yadav i/b Mr.Ganesh Dumbre, for the appellant.
Mr.Nitesh J. Mohite, for respondents no. 1 to 12.
Mr. B. B. Kulkarni, APP for the State-respondent no.13.

CORAM : M. S. KARNIK, J.

DATE : APRIL 4, 2024

JUDGMENT :

1. Heard learned counsel for the appellant, learned counsel for respondents no.1 to 12 and learned APP for the State.
2. This is an appeal for cancellation of bail granted to the accused vide order dated 27/11/2023 passed below Exhibit 5 and Exhibit 33 by the trial Court in respect of the offences punishable under sections 143, 147, 323, 504, 506 read with 34 of the Indian Penal Code, sections 3(2)(r)(s) & 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'Atrocities Act') and under section 7(1)(d) of the Protection of Civil

Rights Act, 1955 registered on 11/11/2018 vide C.R.No. 355 of 2018 with Umbraj police station.

3. Learned counsel for the appellant-complainant was at pains to point out that the accusations are serious. The date of the incident is 10/11/2018. There is political rivalry between the appellant and the accused. It is alleged that the appellant was assaulted by the accused and abused in the name of caste. Earlier, the accused were enlarged on bail by the trial Court. The impugned order records that there was no appropriate compliance of sub-section 3 of section 15A of the Atrocities Act. The bail application was remanded back to the trial Court for hearing. The accused surrendered on 07/10/2022. By the impugned order dated 27/11/2023 the accused were enlarged on bail by imposing certain conditions. Perused the impugned order. I do not find any reason to interfere with the order passed by the trial Court enlarging the accused on bail.

4. Learned counsel for the appellant made an attempt to submit that the accused are pressurizing the witnesses. The contention of the learned counsel for the appellant will amount to breach of the conditions imposed by the trial

Court. In this view of the matter, it is open for the complainant to approach the trial Court by making an appropriate application alleging breach of conditions and consequences thereof. If such an application is preferred, the same shall be considered on its own merits.

5. Keeping this liberty open, the appeal is rejected.

(M. S. KARNIK, J.)