



Diksha Rane

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

CRIMINAL APPEAL NO.69/2024

MAHIBUB JAINUDDIN SAYYAD

..APPELLANT

VS.

THE STATE OF MAHARASHTRA & ANR.

..RESPONDENTS

Adv. Suyash Khose for the applicant.
Smt. S. D. Shinde, APP for the State.

CORAM : M. S. KARNIK, J.
DATE : JANUARY 24, 2024.

P.C. :

- 1.** Heard learned counsel for the appellant and learned APP for the State.
- 2.** This is an appeal filed by the appellant challenging the order dated 18/1/2024 passed by the Special Judge, Pune, rejecting the application for pre-arrest bail for the offence punishable under Sections 323, 504, 506 read with Section 34 of the Indian Penal Code (IPC) and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- 3.** So far as the appellant is concerned, reading of the complaint would reveal that no specific words are indicated in respect of the abuse. The complainant only alleges that

the appellant abused him in the name of his caste.

4. Learned APP seeks time to take instructions.

5. Issue notice to the respondent no.2, returnable on 27/2/2024. Learned APP waives service of notice on behalf of the State. The Investigating Officer to inform the respondent no. 2 the next date of hearing and that he has a right to be represented by the advocate or through legal aid.

6. In the meantime, the appellant needs to be protected by an interim order.

7. In the event of arrest of the appellant, he shall be released on bail on his furnishing P.R. bond in the sum of Rs.15,000/- with one or more sureties in the like amount.

8. The appellant shall report to the investigating officer on 1st and 2nd February, 2024 between 11.00 a.m. and 1.00 p.m. and thereafter, as and when called and co-operate with the investigation.

9. The appellant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the

facts to Court or any Police Officer. The appellant should not tamper with evidence.

10. Stand over to **27/2/2024**.

(M. S. KARNIK, J.)