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

CRIMINAL APPEAL NO.283 OF 2024

RAJESH POPAT NARUTE

..APPELLANT

VS

THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Ritesh Thobde a/w Adv. Zubi Ansari a/w Adv. Ankita Rai for the appellant.

Mr. B. B. Kulkarni, APP for the State.

HC-R. A. Shaikh, Karmala Police Station, Solapur.

CORAM : M. S. KARNIK, J.

DATE : MARCH 18, 2024.

P.C. :

1. Heard learned counsel for the appellant and learned APP for the State.

2. This is an appeal for pre-arrest bail in connection with C.R. No.1018 of 2023 registered with Karmala Police Station, District Solapur on 31.12.2023 for the offences punishable under Sections 324, 323, 504, 506 read with 34 of the Indian Penal Code, 1860 (hereafter "IPC", for short) and under Sections 3(1)(r), 3(1)(s) and 3(2)(va) of

Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereafter "Atrocities Act", for short).

3. The date of the incident is 27.12.2023. The FIR is registered on 31.12.2023. It is alleged that the appellant along with the other accused went to the farm where the complainant was working and assaulted him by a wooden log. The trial Court has observed that the bar under Section 18 of the Atrocities Act will not attract. However, since the assault was on the vital part of the body the application for pre-arrest bail is rejected. The injuries suffered by the complainant are simple in nature.

4. Learned APP opposed the appeal.

5. Issue notice to respondent No.2, returnable on 16.04.2024. Learned APP waives service of notice on behalf of respondent No.1.

6. The appellant needs to be protected by an interim order in the meantime.

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

8. The appellant shall report to the Investigating Officer of the concerned Police Station as and when called and co-operate with the investigation.
9. Stand over to **16.04.2024**.

(M. S. KARNIK, J.)