



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

CRIMINAL APPEAL NO.299 OF 2024

SUBHASH SHANKAR PATIL AND ORS. .. APPELLANTS
VS.
THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Mr.Ritesh Thobde a/w Mr.Changdev Shingade, for the appellants.
Mr. S. V. Walve, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : MARCH 20, 2024

P.C. :

- 1.** Heard learned counsel for the appellants and learned APP.
- 2.** Learned counsel for the appellants pointed out that so far as the appellant no.1-Subhash Shankar Patil is concerned, he is already arrested. The appeal is, therefore, not pressed so far as the appellant no.1 is concerned. The appellant no.1 is free to move appropriate application for bail which obviously will be considered on its own merits.
- 3.** This is an appeal for quashing and setting aside the impugned order dated 04/03/2024 passed by the Additional

Sessions Judge, Solapur rejecting the application of the appellant for bail in respect of the offence punishable under sections 143, 147, 149, 324, 504, 506 of the Indian Penal Code, 1860 and under sections 3(1)(r) & 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered on 17/01/2024 vide C.R. No. 25 of 2024 with Akkalcot South police station, Solapur Rural.

4. The incident happened due to a quarrel which took place between the appellants and the complainant with respect to badges that were to be given for the religious process of the village deity. It is alleged that the accused, which includes the appellants, abused the complainant and members of their community in the name of their caste and assaulted the complainant with a stick. The appellant nos. 2 to 4 are not the assailants. Prma facie, so far as the abuses in the name of caste are concerned, there are general omnibus statements allegedly made against the complainant.

5. Hence issue notice to the respondent no.2, returnable on 17/04/2024. Learned APP waives service of notice on behalf of the State. The appellant nos. 2 to 4 are protected

by an interim order.

6. In the event of arrest of the appellant nos. 2 to 4- Balappa Gurupad @ Gurupadappa Dhanahalli, Annappa @Annarao Shavreppa @ Shourya Rodage, Rajkumar @ Rajshekhar Annappa Rodage in connection with C.R. No. 25 of 2024 registered with Akkalkot South Police Station, Solapur shall be released on bail on their furnishing P.R. bond in the sum of Rs.10,000/- each with one or more sureties in the like amount.

7. The appellant nos.2 to 4 to report to the investigating officer of the Akkalkot police station on 27/03/2024 and 28/03/2024 between 11.00 a.m. and 1.00 p.m.

8. The appellant nos. 2 to 4 to co-operate with the investigation.

9. Stand over to 17/04/2024.

(M. S. KARNIK, J.)