



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.397 OF 2024**

RASHID BALESHA @ BALISHA MULLA ..APPELLANT
VS.

THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Mr. Ritesh thobde a/w Ms.Zubi Ansari, for the appellant.
Smt. Sangeeta D. Shinde, APP for the State.

**CORAM : M. S. KARNIK, J.
DATE : APRIL 17, 2024**

P.C. :

1. Heard learned counsel for the appellant.
2. This is an appeal challenging the order dated 22/03/2024 passed by the Additional Sessions Judge, Solapur rejecting the anticipatory bail application of the appellant in connection with the offences punishable under sections 354, 354D, 324, 323, 143, 147, 148, 149, 504, 506 of the Indian Penal Code, 1860 and 3(1)(r)(s), 3(2)(va), 3(1)(w)(i)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered on 18/11/2023 vide C.R. No. 643 of 2023 with Vijapur Naka police station, Solapur.
3. The FIR dated 18/11/2023 is registered by the respondent no.2 against the appellant at 9.20 p.m. In the

supplementary statement, the complainant makes a reference to the abuses made in the name of caste. Further a complaint of allegation of molestation is made against the accused no.1 which took place on 05/11/2023 and the complaint made much later. Learned counsel submitted that the possibility of exaggeration of the allegations cannot be ruled out.

1. Issue notice to the respondent no.2, returnable on 08/05/2024. Learned APP waives service of notice on behalf of the State.

4. In the event of arrest of the appellant- Rashid Balesha @ Balisha Mulla in connection with C.R. No.643 of 2023 registered with Vijapur Naka police station, Solapur, the appellant shall be released on bail on his furnishing P.R. bond in the sum of Rs.10,000/- with one or more sureties in the like amount.

5. The appellant shall report to the investigating officer of Vijapur Naka police station, Solapur on 23/04/2024 and 24/04/2024 between 11.00 a.m. and 1.00 p.m. and thereafter, as and when called.

6. The appellant to co-operate with the investigation.

7. Stand over to 08/05/2024.

(M. S. KARNIK, J.)