

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

CRIMINAL APPEAL NO.606 OF 2024

Riyaj Lalasaheb Patel

...Appellant

vs.

The State of Maharashtra & Anr.

...Respondents

....

Mr. Siddharth Sutaria a/w Mr. Suyash Khose, *for the Appellant.*

Ms. Shilpa K. Gajare-Dhumal, APP, *for Respondent/State.*

....

CORAM : SANDEEP V. MARNE, J.

DATE : 2 JULY 2024

P.C.:

1 This Appeal is filed under section 14A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 challenging the order dated 22 May 2024 passed by the Additional Sessions Judge, Solapur rejecting the Application for Anticipatory Bail in connection with Crime No.130 of 2024 registered with Vijapur Naka Police Station, Solapur for the offences punishable under sections 354-A, 504, 506 read with section 34 of the Indian Penal Code, 1860 and sections 3(1)(r), 3(1)(s), 3(2)(va) and 3(1)(w)(ii) of the SC & ST Act.

2 Prima facie it appears that dispute between the parties is with regard to non-payment of wages and house rent allowance to the complainant by the

Appellant. Though there are specific allegations against Simran Riyaz Patel, it appears that the learned Sessions Judge has allowed her Anticipatory Bail Application on 22 May 2024. No doubt there are specific allegations of abuse with reference to caste attributed to the Appellant in the FIR, the issue is whether the said utterances are made in public view or not. *Prima facie*, therefore interim protection deserves to be granted in favour of the Appellant. I accordingly proceed to pass the following order:

- a) In the event of arrest of the Appellant in Crime No.130 of 2024 registered with Vijapur Naka Police Station, Solapur for the offences punishable under sections 354-A, 504, 506 read with section 34 of the Indian Penal Code, 1860 and sections 3(1)(r), 3(1)(s), 3(2)(va) and 3(1)(w)(ii) of the SC & ST Act, he shall be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.
- (b) The Appellant shall appear before the Investigating Officer on 15 and 16 July 2024 between 11.00 to 2.00 p.m. and shall co-operate with the investigation.
- (c) Appellant shall furnish identity and address proof of himself and of his two blood relatives while furnishing sureties.
- (d) Appellant shall attend Trial Court regularly unless exempted from personal appearance.
- (e) Appellant shall not pressurize the informant or any other witnesses acquainted with the facts of the case nor shall tamper with the evidence either directly or indirectly.

3 Issue notice to Respondent No.2, returnable on 12 August 2024.

4 The Investigating Officer shall record statement of Respondent No.2 as to whether he desires to engage private advocate or be represented through Legal Aid Advocate. Statement be produced on the next date.

(SANDEEP V. MARNE, J.)

SUDARSHAN
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KATKAM

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