

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

CRIMINAL APPEAL NO.682 OF 2024

Vishal Dattatray Jadhav & Ors.

....Appellants

V/S

The State of Maharashtra & Anr.

....Respondents

Mr. Sanjeev Kadam a/w Mr. Mayur Sanap and Mr. Prashant Paul i/b
Mr. Pratik Deshmukh *for the Appellants.*

Ms. Shilpa G. Talhar, APP *for Respondent No.1/State.*

CORAM: SANDEEP V. MARNE, J.

DATE : 5 JULY 2024.

P.C.:

1 This Appeal is filed under the provisions of section 14A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (**SC & ST Act**) challenging the order dated 27 June 2024 passed by the Additional Sessions Judge, Satara, rejecting Application filed by the Appellants seeking pre-arrest bail in connection with CR No.218 of 2024 registered with Satara Taluka Police Station, District Satara for offences punishable under sections 329, 323, 506 read with section 34 of the Indian Penal Code, 1860. It appears that by a subsequent report submitted by Assistant Police Inspector dated 21 May 2024 provisions of sections 3(1)(r) (s), 3(2)(v), 3(2)(va) and 6 of the SC & ST Act are added.

2 Perusal of the FIR would indicate that there is no reference in the statement of the first informant about any abuses being hurled with reference to the caste by any of the accused. In the report dated 21 May 2024 the allegation of hurling abuses with reference to caste are added but the said accusation also ascribed only to the original accused No.1 Dattatray Jadhav, who has been arrested and released on regular bail.

3 In my view therefore interim protection deserves to be granted in favour of the Appellants till the next date of hearing. I accordingly proceed to pass the following order:

- a) In the event of arrest of the Appellants in Crime No.218 of 2024 registered with Satara Taluka Police Station, District Satara for the offences punishable under sections 329, 323, 506 read with section 34 of the Indian Penal Code, 1860 and sections 3(1)(r)(s), 3(2)(v), 3(2)(va), and 6 of the SC & ST Act, they shall be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two solvent sureties in the like amount.
- (b) The Appellants shall appear before the Investigating Officer on 22 and 23 July 2024 between 11.00 to 2.00 p.m. and shall co-operate with the investigation.
- (c) Appellants shall furnish identity and address proof of themselves and of their two blood relatives while furnishing sureties.
- (d) Appellants shall attend Trial Court regularly unless exempted from personal appearance.

(e) Appellants 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.

4 Issue notice to Respondent No.2, returnable on **7 August 2024**. 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 of Respondent No.2 be produced on the next date of hearing.

(SANDEEP V. MARNE, J.)

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