



(Corrections have been carried out in view of speaking to minutes of the order dated 28.03.2025)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

916 CRIMINAL APPEAL NO. 191 OF 2025

**JAVEED NOORMOHAMMAD SHAIKH AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

.....
Advocate for the Appellant : Mr. R.R.Deshpande h/f.
Mrs. Deshpande Priyanka R.
APP for Respondent/State : Mr.K.K.Naik

...
CORAM : SHAILESH P. BRAHME, J.
DATE : 19th MARCH 2025

PER COURT :

1. Heard learned counsel Mr.Deshpande holding for Mrs.Priyanka Deshpande for appellants. Issue notice to respondents returnable on 17.04.2025. Learned APP waives service of notice for respondent No.1.
2. Appellants are aggrieved by order dated 03.03.2025 passed by the Special Judge,Additional Sessions Judge, Latur in Criminal Bail Application No.125 of 2025 rejecting prayer for pre-arrest bail. Learned counsel for the appellants submits that no specific allegations on caste are figuring in the First Information Report. It is further submitted that the report is silent as to how the informant had an occasion to know the appellants.

3. I have gone through the allegations in the First Information Report. There is absence of specific allegations on caste. I am doubtful as to whether the offence under The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 gets attracted merely stating in the report that informant was belonging to a particular caste. Considering the nature of allegations, I deem it appropriate to grant interim protection.

4. In the event of their arrests in Crime No. 40 of 2025 registered in Police Station Ausa, Tq. Ausa Dist. Latur, they shall be released on bail on furnishing PR bond of Rs.20,000/- with one solvent surety in following conditions :

- a) The appellants shall co-operate with the Investigating Officer and shall remain present for the inquiry on every Thursday between 12:00 pm to 5:00 p.m.
- b) They shall not tamper or contact the prosecution witnesses.

[SHAILESH P BRAHME, J.]

vsj..