



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

**930 CRIMINAL APPEAL NO. 315 OF 2025**

**MARUTI RAJKUMAR BIRADAR AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER**

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Advocate for the Appellants : Mr. Reddy Ajinkya  
APP for Respondent/State : Mr.K.K.Naik

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**CORAM : SHAILESH P. BRAHME, J.**  
**DATE : 6<sup>th</sup> MAY 2025**

**PER COURT :**

. Appellants are being aggrieved by judgment and order dated 29.04.2025 passed in Criminal Bail Application No.57 of 2025. They are apprehending arrest in furtherance of C.R.No.108 of 2025 registered with Devani Police Station, Dist.Latur for offence punishable under Sections 191(1), 191(2), 324(4),352,351(2) of B.N.S, 2023 and under Sections 3(1)(t),3(1)(y),3(1)(r),3(1)(s),3(2)(va) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act,1989.

2. First information report lodged at the instance of Respondent No.2 shows that appellant and the co-accused assembled on 31.03.2025 at village Konali,District Latur and they destroyed sacred flag i.e Panchsheel Dhvaj installed by the member of the scheduled caste. It is alleged that by using JCB and tractor flag was uprooted.

3. Learned counsel for the appellants submits that no specific role has been attributed to the present appellants. Even utterances on the caste are not be attributed to specific person. First information report is vague. Due to political rivalry, appellants have been implicated in the offence.

4. Learned APP submits that first information report disclose offence under Sections 191(1), 191(2), 324(4),352,351(2) of B.N.S, 2023 and under Sections 3(1)(t),3(1)(y),3(1)(r),3(1)(s),3(2)(va) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act,1989.

5. This appeal is preferred by seven persons who are stated to be present at the relevant time. However, no specific overt act has been attributed to them. General allegations are made against them. It is not made clear as to who uttered the casteist abuses. Appellants are not the owners of the vehicles. Political rivalry can be the cause to implicate the appellants for the offence in question. They are entitled for the protection.

6. Issue notice to the respondents returnable on 13.06.2025. Learned APP waives service of notice for Respondent No.1.

7. In the event of arrest of the appellants in furtherance of C.R. No.108 of 2025, they shall be released on bail on furnishing personal bond of Rs.5000/- with one solvent surety on following conditions :

a) Appellants shall not in any way tamper or contact the prosecution witnesses.

b) Appellants shall attend the police station on 11.05.2025, 25.05.2025 and 01.06.2025 and inform the Court.

**[ SHAILESH P BRAHME, J.]**

vsj..