

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1267 OF 2024

Machindra Rajaram Kamble Appellant

V/s.

The State of Maharashtra & Ors. Respondents

NILAM
SANTOSH
KAMBLE

Digitally signed
by NILAM
SANTOSH
KAMBLE
Date:
2025.07.04
17:40:52 +0530

Mr.Arvind D. Tiwari, for the Appellant.

Mr.A.R. Metkari, APP, for Respondent-State.

Mr.Jaydeep D. Mane, for Respondent No.2.

Mr.B.V. Zol, HC, Sangola Police Station, Solapur.

CORAM : SHIVKUMAR DIGE, J.

DATE : 03rd JULY 2025

P.C:-

. By this Appeal, the first informant is seeking cancellation of the bail of the Respondents in CR No.980 of 2018 registered with Sangola police Station for the offences punishable under Sections 143, 147, 148, 149, 323, 427, 504, 506 read with 34 of the Indian Penal Code ('IPC' for short), under Sections 3(1)(G)(R)(S) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 ('SCST Act' for short) and Section 7(1)(D) of the Protection of Human

Rights Act.

2. It is prosecution case that on 16th November 2018 at about 12.00 p.m. Respondents along with others were member of the unlawful assembly and with common object voluntarily caused hurt to first informant and witnesses. It is alleged that, they committed mischief by causing damages to property of the first informant and attempted to kill informant and witnesses. They abused the first informant on his caste in public view.

3. It is contention of learned counsel for the first informant that, the learned Special Court has granted anticipatory bail to the Respondents without considering fact that, they abused first informant on caste in public view. There is bar under Section 18 of the SCST Act about the granting anticipatory bail. The reasons given by the Special Court while allowing the anticipatory bail are erroneous, hence, requested to allow the Appeal.

4. It is contention of the learned counsel for the Respondent-Accused that, the learned Special Court has passed well reasoned order on merit. Now the charge-sheet has been

filed against the Appellants and charge have been framed against them. Hence, requested to dismiss the Appeal.

5. The learned APP submitted that, appropriate order be passed.

6. I have heard all learned counsel. Perused impugned order passed by the Special Court.

7. The Special Court has passed well reasoned order, while granting anticipatory bail to the Respondents. I do not find infirmity in it. Moreover, investigation is completed and charge-sheet has been filed against the Respondents charges have been framed. Considering these facts, I pass following order.

ORDER

- (i) The Appeal is dismissed.
- (ii) All pending Applications are disposed of.

(SHIVKUMAR DIGE, J.)