

**ORDER BELOW EXH. 4 IN SPL.Case(Atrocity) NO. 39/2023**  
**(CNR No. MHPU21-000561-2023)**

1. Perused the application and say with record. Heard the Spl. PP Smt. Raskar and Ld.Advocate Shri. Sabale for the accused.
2. Today the charge-sheet is produced with direction to the accused to remain present before court. Accordingly, the accused surrendered before the court.
3. On perusal of charge-sheet the offence u/sec. 354-A of the IPC and u/s. 3(1)(w) (I), 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocity) Act is levelled against the accused.
4. On perusal of FIR and other papers it nowhere reveal the act on account of sections provided under the Prevention of Atrocities Act. Mere the aggrieved belong to particular caste is not sufficient to prima facie attract the offence in which the accused is booked.
5. So far the offence punishable u/sec. 354-A of Indian Penal Code is concerned, it isailable. Assuming the role of the accused is covered u/sec. 354 of the IPC, then also no purpose will be served by sending him in jail as the investigation is completed and charge-sheet is filed. If really, there was a need of the accused regarding an investigation he could make arrest but he was directed to remain present before the court. In such circumstances, this is the

fit case to grant interim bail till filing of say on the main application.

Thus, I proceed to pass following order:

**ORDER**

1. Application is allowed.
2. Applicant/Accused– Balu Anandrao Sarade shall be released on bail in Crime No. 543 of 2022, for the offence punishable under section 354-A of the IPC and u/s. 3(1)(w)(i), 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocity) Act, registered with Khed police station, on furnishing P.R.Bond for the sum of Rs. 15,000/- with surety in the like amount .
3. The applicant shall not misuse liberty in any manner.
4. The applicant shall not tamper with the prosecution evidence.
5. Issue notice to the I.O. and Spl. P.P. as to why the interim relief granted to the accused should not be confirmed r/o 21.03.2023
6. Bail before Ld. Trial court.

Khed.

Date : 10/03/2023

(S. N. Rajurkar)

Special Judge,

Khed-Rajgurunagar, Dist- Pune.

**CERTIFICATE**

I affirm that the contents of this P.D.F.file are same word for word as per original.

Name of Steno :- Smt. S. S. Gadkari, Steno (Grade-I)

Court Name :- Shri. S. N. Rajurkar,  
Additional Sessions Judge,  
Khed-Rajgurunagar, Dist- Pune

Date :- 10/03/2023

Order signed by P.O. On :- 10/03/2023

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