

MHBI010036602025

Special (Atrocity) Case No.198/2025



State Vs. Navnath & Ors.

ORDER BELOW EXH.4

01] This is an application filed for bail by the accused No.1 and 2 for the offences punishable under sections 352, 351(2), 351(3) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 and sections 3(1)(r), 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

02] Prosecution's case, in brief, is as under ;

Informant Latabai Baban Walhekar lodged F.I.R. on 09.04.2025 alleging that, she belongs to Hindu-Matang caste. On 09.04.2025 at about 7.00 a.m. her neighbours Navnath, Chhaya and Rohan Mane asked her not to throw garbage in their agricultural land and thereafter, when the informant denied that, she had thrown garbage in their field Navnath abused her referring to her caste and insulted her. Informant's son Nitin intervene. Then, all the accused abused him referring to the case. Navnath ran to Nitin with axe in his hand, Rohan was holding sickle in his hand. The accused threatened the informant and her family members. Hence, the F.I.R.

03] Accused have claimed bail on the grounds that, they are innocent and have not committed any offence as alleged. The specific words of abuses and threats are not mentioned in the F.I.R. Mere abuse discourtesy, rudeness or insolence does not amount to an intentional insult. Investigation is complete. Charge-sheet has been filed. On these grounds, the applicants have claimed to grant bail.

04] Prosecution has resisted the application by filing say at Exh.15. It is the say of the prosecution that there is strong prima facie case made out against the applicants. There is active participation of the applicants in commission of crime. If applicants will be released on bail, then it is likely that, they will pressurize the prosecution witnesses. Mere filing of charge-sheet not change in the circumstances. On these grounds, prosecution has prayed to reject the interim bail application.

05] Informant though served remained absent.

06] Heard learned advocate for the accused No.1 and 2 and learned A.P.P.

07] At the outset, it is pertinent to note that during investigation, the investigating officer had issued notice under section 35(3) of the B.N.S.S. to the accused and thereby the accused were not arrested. Now the charge-sheet has been filed. There are no allegations regarding assault with weapon. There is no recovery or discovery alleged to be effected from the applicants. No purpose shall be served by keeping the accused behind the bars. Hence, I find that, the applicants are entitled to get bail and pass following order.

ORDER

01. Application Exh.4 is allowed.

02. Ad-interim anticipatory bail order passed below Exh.3 dated 11.02.2026 of accused No.1 and 2 is hereby confirmed on same terms and conditions.

03. Violation of any of the conditions imposed shall amount to cancellation of bail forthwith.

(Order dictated and pronounced in open Court.)

Date : 04/05/2026

**(S. R. Shinde)
Special Judge (Atrocity),
Beed.**

