



Spl. Case No. 01/2026  
State -v- Prakash & Ors  
MHGA130000052026

**ORDER BELOW EXH.20**  
(Passed on 03.02.2026)

1. By way of present application under Section 483 of Bharatiya Nagarik Surakasha Sanhita, the accused No.1 and 3 are seeking regular bail.
2. In nutshell, the facts on which the application is moved are as under :-

On 16.11.2025 an about 10.00 am the informant and his uncle were coming on motorcycle. Tractor driven by juvenile in conflict with law came from other side. Accused No.1 and 3 were with him. Accused No.1 uttered obscene words for the informant with reference to caste. Thereafter, all accused persons beat the informant and his uncle. The informant lodged report with Police Station, Mulchera. Crime No.108/2025 was registered against accused persons. The Police Station, Mulchera for offences punishable under Section 118(1), 115(2), 351(2), 351(3), 352.

189(2), 190, 191(2) of Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r), 3(1)(s), 3(2)(va) of The SCST Act. The accused No.1 and 3 were arrested.

3. Learned advocate for accused No.1 and 3 submitted that there was quarrel and on that count they have been falsely implicated. Initially statement of the informant and his uncle were recorded but there is no reference to abuses with respect to caste in those statements. Earlier it was stated that four to five persons were involved, later on it was stated that only these accused persons were involved. Earlier bail application came to be rejected on the ground that the investigation is in progress. Charge-sheet is already filed. Hence investigation is completed. In these circumstances, these accused persons be released on bail.
4. The victim filed say Exh.21 and submitted that field of these accused persons is adjacent to field of the informant, hence bail application be rejected.
5. The prosecution has filed say and it is submitted by Additional Public Prosecutor that offences are serious.

If released on bail, there is every possibility that accused persons may tamper with prosecution evidence or may influence prosecution witnesses.

6. I have gone through the charge-sheet. Statements of the informant and his uncle were recorded on 16.11.2025. There is no reference to abuses with reference to caste in those statements. Subsequently, abuses with reference to caste were introduced in First Information Report. Moreover, in First Information Report it is stated that four to five persons were there, however, the supplementary statement, it is stated by the informant and his uncle that there was nobody except accused persons. Thus, it is clear that the informant and his uncle have been changing their stand frequently. Investigation is over as charge-sheet is filed. No purpose will be served in detaining these accused persons furthermore. Accused persons and the informant are residing in different villages. They are not likely to come into contact. They do not have criminal antecedents and are not likely to abscond. Additionally, apprehensions raised by the informant

can be taken care by necessary conditions. Hence, I pass the following order.

### ORDER

1. Application (Exh.20) is allowed.
2. Accused **No.1 Prakash Arun Barman** and accused **No.3 Bhupal Radhakant Mandal**, be released on bail on execution of PR bond of Rs.50,000/- (Rs. Fifty Thousand only) each and one surety in like amount in connection with Crime No.108/2025 was registered with Police Station, Mulchera for offences punishable under Sections 118(1), 115(2), 351(2), 351(3), 352 of Bhartiya Nyaya Sanhita, 2023 and Sections 3(1)(r), 3(1)(s), 3(2)(va) of SCST Act and Section 4(1)/181 of Motor Vehicles Act on following conditions :
  - a) Accused persons shall not influence prosecution witnesses.
  - b) Accused persons shall not tamper with prosecution evidence.
  - c) Accused persons shall remain present before the Court on every date. In exceptional circumstances, they can apply personal exemption.

- d) Accused persons shall not contact the informant directly or indirectly and shall not enter into village Markanda, Th. Chamorshi, Dist. Gadchiroli till conclusion of trial.
- e) Accused persons shall furnish their mobile numbers and address proofs.
- f) Accused persons shall furnish mobile numbers and address proofs of his two close relatives.

Aheri.  
Date – 03/02/2026.

**(Rohan B. Rehpade)**  
Judge, Special Court (SCST),  
Aheri.