



**IN THE COURT OF DISTRICT JUDGE-1, & ASJ, GONDIA.**

**MISC.CRI.BAIL APPLN No. 89/2026.**  
(CNR NO.MHGO010004512026)

**ADITYA GAUR+1 – VS – STATE, PSO, TIRORA**

**ORDER BELOW EXH. 01.**

(Passed on this 13<sup>th</sup> day of March, 2026)

Perused application.

2. Apprehending arrest at the hands of Police Station, Tirora in Crime No. 246/2026 registered for alleged offence punishable under Sec. 115(2), 351(3), 3(5) of BNS, 2023 and Sec. 3(1)(r)(s) of SC & ST (Prevention of Atrocities) Act, the applicant Nos. 1 & 2 have filed this application for grant of anticipatory bail under Sec. 482 of BNSS, 2023.

3. I.O. and learned APP have filed reply and opposed this application. Similarly, informant has filed reply and opposed this application.

4. It is stated by I.O. that he has not arrested applicants.

5. Heard.

6. Application at hand is filed on the basis that word 'Mehatar' relates to the work conducted by the person. As such, simply because the informant was abused by the applicants that informant's father is working as Mehatar in itself cannot be termed as caste abuse. Therefore, according to the applicants, prima facie bar under Sec. 18 of Atrocities Act is not attracted, hence, considering the nature of allegations and sections levelled against the applicants in terms of BNS, 2023, applicants be enlarged on bail.

7. To counter the said argument, learned APP learned APP vide application Exh.9 and list of documents filed vide Exh.10, has filed on record caste certificate of the informant Mayank Abhimanyu Guneriya. From the said certificate it can be seen that 'Mehatar' is a caste and that the said caste is recognized as Schedule Caste.

8. As such, on the basis of incident narrated in the F.I.R. and the word used in the said F.I.R. as against the informant, it can very well be inferred that the F.I.R. depicts prima facie case under Atrocities Act. At this stage, it can be inferred that the informant was subjected to humiliation and caste abuse in a public view. Therefore, to my mind in the instant case bar under Sec. 18 of SC & ST (Prevention of Atrocities) Act is attracted. Hence, I hold that application at hand is not tenable. Resultantly, the following order.

**ORDER**

Application (Exh.01 & 4) are hereby rejected.

Gondia.  
Dated: 13.03.2026.

(A. S. Pratinidhi)  
District Judge-1 & ASJ,  
**Gondia.**