

Cri. Bail Appl. No.269/2026
CNR No. MHOS010010442026

Sambhaji Tanaji Mate and Anr.
Vs.
The State of Maharashtra

A) Case Details :	
FIR Number and Date	67/2026
Police Station	Tamalwadi Police Station, Tq. Tuljapur, Dist. Osmanabad (Dharashiv)
District	Osmanabad (Dharashiv)
State	Maharashtra
Sections Invoked	Under Sections 74, 118(1), 118 (2), 115(2), 352, 351 (2), 351 (3), 3 (5) of the BNS and 3(1)(r), 3 (1) (s), 3(1)(w)(i), 3 (1) (w) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
Maximum punishment prescribed	under section 118 (1) of BNS - rigorous imprisonment for Life (Remainder of Natural Life)

B) Custody and Procedural Compliance :	
Date of Arrest	10.06.2026
Total period of custody undergone	11 days from 12.06.2026 (M.C.R.)

C) Status of Trial :	
State of proceedings (Investigation/Chargesheet/ Cognizance/Framing of Charges)	Investigation

/Trial)	
Total number of witnesses cited in the chargesheet	No

D) Criminal Antecedents :	
FIR No. and Police Station	No.
Sections	No.
Status (Pending/Acquitted Convicted)	No.

E) Previous Bail Applications :	
Court	No.
Case No.	No.
Outcome of case	No.

F) Coercive Processes :	
Whether any Non-Bailable Warrant was issued	No.
Whether declared a proclaimed offender	No.

ORDER BELOW EXH.1

1] This is bail application filed by applicants namely; Sambhaji Tanaji Mate and Bapu Tanaji Mate under section 483 of B.N.S.S. for regular bail in Crime No.67/2026 registered with Tamalwadi Police Station, Dharasiv for the offence punishable Under Sections 74, 118 (1), 118 (2), 115 (2), 352, 351 (2), 351 (3), 3 (5) of B.N.S. and Section 3(1)(r)(s), 3(1)(w)(i)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2] The prosecution case, in brief, is that the informant is residing along with her husband, son, daughter, parents-in-law, brother-in-law and sister-in-law at village Pangardharwadi, Taluka Tuljapur, District Osmanabad. It is alleged that on 16.04.2026 at about 10.30 a.m., while the informant was standing in front of her house, accused Pooja Sambhaji Mate, who resides adjacent to the house of the informant, came there and started abusing her. The informant objected to such conduct and telephonically informed her husband Mahadev about the incident. Thereafter, Mahadev came to the spot, whereupon accused Pooja Mate allegedly continued to abuse both the informant and her husband. According to the prosecution, thereafter accused Sambhaji Mate, Bapu Mate and Tanaji Mate also arrived at the spot and joined in abusing and assaulting the informant and her husband. It is further alleged that accused Pooja Pawar caught hold of the informant by her hair and assaulted her with a stick on her back. Accused Sambhaji Mate allegedly pushed the informant and outraged her modesty. The prosecution further alleges that accused Sambhaji Mate assaulted Mahadev on his head by means of an iron rod, while accused Bapu Mate and Tanaji Mate assaulted him with sticks. As a result of the said assault, Mahadev sustained injuries on his face. When the informant raised hue and cry, accused Bapu Mate allegedly abused the informant and her husband by referring to their caste and uttered the words, “तुम्ही धेडगे असे आहात, तुम्हाला मी बघून घेतो,”

and also extended threats to kill them. On the basis of the report lodged by the informant, Crime No. 67 of 2026 came to be registered at Tamalwadi Police Station, Osmanabad, against the accused persons for the aforesaid offences, and investigation was set into motion.

3] In the present application, it is averred by the applicants/accused that they have not committed any offence and have been falsely implicated in the present crime. It is further contended that they have no criminal antecedents. According to the applicants, the husband of the informant did not sustain any grievous injury and has already been discharged from the hospital. It is also submitted that there is a delay of 11 days in lodging the First Information Report. The applicants are the Karta and earning members of their respective families. They possess movable and immovable properties in their native village and, therefore, there is no possibility of their absconding. The applicants have expressed their willingness to cooperate with the investigating agency and undertake to abide by any condition imposed by the Court if released on bail.

4] The informant filed her say at Exh. 6 and strongly opposed the bail application. It is contended that if the applicants/accused are released on bail, her life and safety would be at risk.

5] The Investigating Officer and the learned D.G.P. filed their respective say at Exh. 4 and Exh. 7 and strongly opposed the bail application. It is contended that the offences alleged are serious in nature and that the investigation is still in progress. It is further submitted that if the applicants are released on bail, they may influence or pressurize the prosecution witnesses and tamper with the evidence. Hence, it is prayed that the application be rejected.

6] Heard the learned counsel for the applicants, the learned D.G.P. for the State, and the informant.

7] I have carefully considered the allegations made in the First Information Report, the submissions advanced on behalf of the applicants, the prosecution, and the informant, as well as the material placed on record.

8] It reveals from the record that offences punishable under Sections 74, 118(1), 118(2), 115(2), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, along with Sections 3(1)(r), 3(1)(s), 3(1)(w)(i) and 3(1)(w)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, have been registered against the applicants. Among the aforesaid offences, Section 118(2) of the B.N.S. is the gravest offence alleged against the applicants. The offence is triable by

the Magistrate. The offences under Sections 3(1)(r), 3(1)(s), 3(1)(w)(i) and 3(1)(w)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 are triable by the Special Court.

9] The prosecution case, in substance, is that on account of a previous dispute, the applicants and other co-accused persons assaulted the informant and her husband. It is specifically alleged that applicant No.1, Sambhaji Mate, assaulted the husband of the informant and also outraged the modesty of the informant. It is further alleged that applicant No.2, Bapu Mate, intentionally insulted and abused the informant by referring to her caste. On the basis of these allegations, the present crime came to be registered against the applicants and other accused persons.

10] At this stage, it is not expected of the Court to undertake a meticulous examination of the evidence collected during the course of investigation. However, the material available on record can certainly be considered for the limited purpose of deciding the prayer for bail. The record indicates that two co-accused, namely Pooja Sambhaji Mate and Tanaji Bhiwa Mate, were released on notice by the Investigating Officer during the course of investigation. The present applicants are in judicial custody since 12.06.2026.

11] It is not disputed that the informant and the applicants are residents of the same village and are neighbours. The allegations appear to have arisen out of a dispute between the parties. From the remand papers as well as the say filed by the Investigating Officer, it transpires that the iron rod and wooden log allegedly used in the commission of the offence have already been seized by the Investigating Agency. Thus, the recovery aspect of the investigation stands completed.

12] It further appears from the remand papers and the say of the Investigating Officer that substantial progress has been made in the investigation. The statements of material witnesses have been recorded and the principal incriminating articles have already been seized. The Investigating Officer has not pointed out any specific requirement of further custodial interrogation of the present applicants. Therefore, their continued detention does not appear necessary for the purpose of investigation.

13] The medical papers placed on record indicate that the husband of the informant had sustained injuries in the incident. However, it is an admitted position that he has already been discharged from the hospital. At present, there is nothing on record to indicate that his condition continues to be critical or that his further treatment requires custodial detention of the applicants.

14] Having regard to the fact that the applicants are in custody since 12.06.2026, that the weapons allegedly used in the offence have already been recovered and seized, that substantial investigation has been completed, and that the injured has been discharged from the hospital, this Court is of the view that no useful purpose would be served by keeping the applicants behind bars for an indefinite period pending completion of the investigation and trial. The presence of the applicants during the course of investigation and trial can be secured by imposing appropriate conditions.

15] So far as the apprehension expressed by the Investigating Officer, the learned D.G.P., and the informant regarding the possibility of the applicants influencing witnesses or tampering with the prosecution evidence is concerned, the same can be adequately addressed by imposing stringent conditions while granting bail. Appropriate directions can be issued restraining the applicants from contacting, threatening, inducing, or influencing the prosecution witnesses and from entering into any activity prejudicial to the fair conduct of the investigation or trial.

16] Considering the nature of the accusations, the role attributed to the applicants, the stage of investigation, the period of custody already undergone by them, the completion of

recovery proceedings, and the fact that substantial investigation has already been carried out, this Court finds that the applicants have made out a case for grant of regular bail. Accordingly, the application deserves to be allowed on suitable terms and conditions. Hence, the following order.

ORDER

- 1) The application is allowed.
- 2) The applicants/accused No.1 Sambhaji Tanaji Mate and No.2 Bapu Tanaji Mate arrested in connection with Crime No.67/2026 of Tamalwadi Police station, Tq. Tuljapur, Dist. Osmanabad be released on executing PR bond of Rs.50,000/- each and surety of like amount on following conditions.
 - A] They shall not pressurize the prosecution witnesses.
 - B] They shall attend concerned Police Station once in a week, from the date of this order, till filing of chargesheet.
 - C] They shall furnish their authenticated address proof as well as his two nearest relatives.
 - D} The applicants shall not establish any contact with the informant or her close relatives, directly or indirectly, through any mode of communication whatsoever.

Date :- 23.06.2026

[Rajesh K. Khomane]
Additional Sessions Judge,
Osmanabad

CERTIFICATE

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

Name of the Stenographer	:	Golhe P.V., Stenographer Gr. I
Name of the Court	:	Addl. Sessions Judge, Osmanabad
Date of Judgment	:	23.06.2026
Judgment signed by the presiding officer	:	23.06.2026
Judgment uploaded on	:	23.06.2026