

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, WASHIM

(Presided over by M. S. Sahastrabudhe)

CRIMINAL BAIL APPLICATION No. 84/2026**CNR No. MHWS010002912026**

Applicants : 1) Ranjit Bhimrav Rathod
Aged about 43 Yrs, Occup. Agriculturist
r/o Sonwal Januna, Post – Tandali Shewai
Tq. Dist. Washim

2) Waman Mangusing Rathod
Aged about 54 Yrs, Occup. Agriculturist
r/o Ambedkar Nagar, Risod
Tq. Risod, Dist. Washim.

- Vs.-

Non-applicant : State of Maharashtra,
Through Police Station Officer,
Washim-gramin, Tq. Dist. Washim.

Application under Section 482 of B.N.S.S. 2023 for anticipatory bail.

ORDER BELOW EXHIBIT NO. 1

(Passed on 30th day of March 2026)

The present application is filed by the applicants under Section 482 of B.N.S.S. in crime No.161/2026 of Washim-gramin Police Station registered for the offences punishable under Sections 118(1), 296, 299, 351(3) of BNS, 2023 and Sections 3 (1) (r), 3 (1) (s), 3 (2) (va) of SC & ST (Prevention of Atrocities) Act, 1989.

2. In brief, it is the contention of the applicants that informant had lodged report alleging that on 03/03/2026 there was some quarrel on small issue between father in law of the informant and applicant

No.1. After resolving the said quarrel father in law of the informant came home. In evening at about 7.00 p.m. husband of the informant went outside for some work and the informant along with her children and father in law were in the house. At that time the applicant No. 1 under influence of liquor came to the house of the informant and without any communication he started assaulting the informant with wooden stick and abusing in loud voice. When father in law of the informant came outside to give some undergoing to the applicant he started assaulting him with the wooden stick in his hand. In the said incident, accused had even assaulted the small daughter of the informant and sister in law of the informant Sau. Sakshi. He had abused the informant and her sister in law in filthy language. The said dispute was resolved by the neighbours. Due the said incident applicant No.2 had used insulting words for adored revolutionary Hero of Adiwasi Community Birsa Munda and have hurt the feelings of Adiwasi Community. Hence, the report of the incident was given on 04/03/2026 by the informant in police station Washim Rural.

3. It is the contention of the applicants that the informant had given false report against them. Actually the father in law of the informant and other have abused the applicant No.1, have assaulted him and have threatened to kill him. He had given report against these persons. As a counter blast, the informant has lodged false report. There is delay in FIR given by the informant. As far as these applicants are concerned, their custodial interrogation is not required and nothing is to be seized from their possession. Applicants are respectable citizens of the village. The provisions of the Prevention of the Atrocities Act is not attracted the present case. No incident had occurred in the public view. The applicants are the bread earners of

their family and do not have any criminal antecedents. If at all the applicants are arrested, they would suffer hardship. Hence, they have prayed to allow the application and to grant of anticipatory bail.

4. The said application is strongly opposed by the Id. APP and I.O. by filing say below Exh.5. It is their contention that the informant is a member of S.T. community and the applicants have abused her and other female member of her family in abusive language by referring their case. Applicant No. 2 had used insulting words for adored revolutionary Hero of Adiwasi Community Birsa Munda. The video clip of the said conduct of applicant No.2 is already seized. The applicants are influential people in the village and they might pressurize the informant and others. The offences leveled against the applicants are of serious nature. Hence, it is necessary to arrest the applicants for thorough investigation of the offence. If at all, the bail is granted to the applicants, there is possibility that they might tamper the prosecution evidence and might pressurise the prosecution witnesses. Hence, they have prayed the application be rejected.

5. The said application is also opposed by the informant by filing say below Exh.08. He has stated that the application is not maintainable in view of the statutory bar under section 18 of the Prevention of Atrocities Act. The applicants have intentionally insulted the informant to humiliate her in the public view. The applicant were having knowledge about the caste of the informant. The applicants have assaulted the informant and her family members. If at all the bail is granted to the applicants and then they might pressurized and threaten the informant and her family members. Prima facie offence under Prevention of Atrocities Act is made out. Hence application be rejected.

6. Ld. advocate for the applicant has argued in accordance with contention of the application. He has submitted that there are no specific allegations against the applicants. False offence has been registered against the applicants. No offence under Prevention of Atrocities Act is made out against the applicants. The applicants are respectable member of the village and their custodial interrogation is not necessary and nothing is to be recovered from their possession, hence, the application needs to be allowed.

7. On the other hand, the ld. APP and Ld. advocate for the informant has argued in accordance with the say of I.O. and submissions in the say of the informant. They have submitted that prima facie offence under Prevention of Atrocities Act is made out against the applicants and accordingly they have prayed that the application be rejected.

8. Considering the submissions of both sides, so also on perusal of the case diary, it appears that FIR is given by the informant specifically alleging that the applicants have abused and have assaulted her, her father in law, daughter and sister in law without any reason. The applicants have abused them by referring their cast so also they have used the filthy language to insult and humiliate the informant and other female members in their family. Thus prima facie offence under the Prevention of Atrocities Act appears to have been committed. Though it is argued by ld. advocate for the applicants that counter case is filed by them against the father in law of the informant and others still the said counter cases appears to have been filed subsequently to the FIR in the present case. The accusation against the applicants are well founded. Specific role is attributed to the applicants and it is specifically stated that the applicant have assaulted the

informant and her family members. So also the video clip of the applicant No.2 using insulting words for adored revolutionary Hero of Adiwasi Community Birsa Munda is alleged to be seized by the I.O.

9. It also cannot be disregarded that the informant and applicants are residing in the same village. The accusations against the applicants are well founded. The investigation is still in progress. Hence, arrest and custodial interrogation of the accused will be necessary. Considering all these aspects, applicants do not deserve anticipatory bail and accordingly I proceed to pass the following order :-

ORDER

Application stands rejected.

Place : Washim
Date : 30/03/2026.

(M. S. Sahastrabudhe)
Addl. Sessions Judge, Washim.

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Crim. Bail. Appln. No.84/2026

CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment/Order are same word to word, as per the original order :-

Name of the Stenographer	:- Nitin B. Khandare, Stenographer (Grade-1)
Court Name	:- District Judge-3 & Additional Sessions Judge, Washim
Date	:- 30/03/2026
Order signed by the Presiding Officer on	:- 30/03/2026
Order uploaded on	:- 01/04/2026