



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

912 CRIMINAL APPEAL NO. 79 OF 2026

1. GANGADHAR ALIAS PAPA MOTIRAM SURYWANSHI

2. PARIKSHIT GANGADHAR SURYAWANSHI

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

....

Mr. Shrikishan S. Shinde, Advocate for the Appellants

Mr. V. M. Chate, APP for Respondent No.1 – State

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CORAM : Y. G. KHOBRAGADE, J.

DATE : February 03, 2026

PER COURT :-

1. Heard learned counsel for the appellants.
2. By the present appeal under Section 14-A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the appellants take exception to the order dated 17.01.2026, passed by the learned Additional Sessions Judge-1, Nanded, under order below Exh.1 in Criminal Bail Application No.1043 of 2025. The appellants prayed for anticipatory bail in connection with Crime No. 219 of 2025, registered on 12.12.2025,

with Manatha Police Station, District Nanded, for the offences punishable under Sections 109, 61(2), 118(1), 351(2), 351(3), 352, 296, 191(2), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 and under Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. On perusal of the F.I.R. dated 12.12.2025, the informant / respondent No.2 alleged that on 05.12.2025, at about 6.00 p.m., both the appellants / accused and other accused Vishal Shinde, Nilesh Shinde visited him at his field and abusing him on his caste. So also, they assaulted him. The accused Nilesh Shinde also assaulted with a weapon on his neck and sustained injuries. So also, the other accused Vishal Shinde assaulted him with rod and other accused too. The villagers Shri Shailesh Boinwad and Shri Firoz Shaikh intervened and separated them.

4. The F.I.R. does not appears that the said incident of abusement on the caste was occurred within the public view. Therefore, at this juncture, the appellants have made out prima facie case to grant them ad-interim anticipatory bail till the next date. Accordingly, I proceed to pass the following order:-

ORDER

- (i) Issue notice to the respondents, returnable on 24.02.2026.
- (ii) The learned APP waives service of notice on behalf of respondent No.1.
- (iii) The Investigating Officer to serve the respondent No.2.
- (iv) In the meantime, in the event of arrest, the appellants / accused, shall be released on ad-interim anticipatory bail on execution of P. R. Bond of Rs.25,000/- each with two solvent sureties of the like amount each, in connection with Crime No. 219 of 2025, registered on 12.12.2025, with Manatha Police Station, District Nanded, for the offences punishable under Sections 109, 61(2), 118(1), 351(2), 351(3), 352, 296, 191(2), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 and under Section 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- (v) The appellants shall not induce, threat or pressurize to the prosecution witnesses.
- (vi) The appellants shall not commit similar offence in future and co-operate the Investigating Officer.
- (vii) The appellants are directed to appear before the concerned Police Station on every Sunday between 09.00 to 11.00 a.m. till completion of investigation.

(viii) The appellants are directed not to leave territorial jurisdiction of Hadgaon Taluka till completion of investigation, without prior permission.

[Y. G. KHOBRADE, J.]

SMS