

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

909 CRIMINAL APPEAL NO. 110 OF 2026

Vishal Uttamrao Shinde

VERSUS

The State Of Maharashtra And Another

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Mr. G. R. Syed h/for Mr. Shinde Shrikishan S., Advocate for
Appellant

Mr. V. M. Chate, APP for Respondent State

Mr. S. V. Jadhwar, Advocate for Respondent No.2

CORAM : Y. G. KHOBRAGADE, J.

Dated : 17th February, 2026

PER COURT :-

1. Heard learned counsel for the appellant.
2. Issue notice to the respondents, returnable on 24.02.2026. Leaned APP waives notice on behalf of Respondent No.1 State. Mr. S. V. Jadhavar appears for respondent no.2 and waives notice.
3. By the present appeal, the appellant/accused takes exception to the order dated 17.01.2026 passed in Criminal Bail Application no. 1043 of 2025 passed by the learned Additional Sessions Judge, Nanded, whereby, declined to grant anticipatory bail in connection with Crime connection with Crime No. 219 of 2025 registered on 12.12.2025 with Manatha Police Station, Dist.

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 Bhartiya Nyaya Sanhita and under section 3(2), 3(v) of Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4. On the face of the record, it appears that on 12.12.2025, respondent No. 2 – the informant lodged an oral report alleging that there existed enmity between the family members of the landlord and the present appellant/accused. On 03.12.2025, at about 9:00 a.m., when the informant and his cousin, Prashant Savate, were cultivating the land, the present appellant/accused, along with Gangadhar Shinde and others, came there. The present appellant/accused allegedly abused the informant in filthy language on account of cultivating the land. At that time, respondent No. 2 informed him that he belongs to the Boudha community, that he had nothing to do with their dispute, and requested that he be permitted to cultivate the land. However, on 05.12.2025, at about 6:00 p.m., when the the informant and his cousin were returning from the field and reached near the Akhada (a space for cattle),the appellant/accused,Gangadhar Suryawanshi (appellant in Criminal Appeal No. 179 of 2026), Parikshit Suryawanshi, and 3–4 other persons came there on motorcycles.

They allegedly abused the informant by referring to his caste and assaulted him. Another accused, Nilesh Shinde, allegedly attempted to assault him with a deadly weapon, namely a dagger; however, the informant bent down and escaped from the said assault.

5. The contents of FIR do not show that the abuse on caste was within the public view. Therefore, at this juncture, considering the nature of offence and the role played by the present appellant, it would be just and proper to enlarge the appellant on pre-arrest bail till next date. Hence, I proceed to pass following order:

ORDER

In the event of arrest of the appellant Vishal Uttamrao Shinde, in connection with Crime connection with Crime No. 219 of 2025 registered on 12.12.2025 with Manatha Police Station, Dist. Nanded, he shall be released on bail upon furnishing P.R. Bond of Rs.25,000/-[Rupees Twenty Tive Thousand only] with One or two solvent sureties in the like amount, till next date, on following conditions:

- (i) The appellant shall attend Manatha Police Station, Dist. Nanded, on every Saturday between 09.00 a.m. to 12.00 p.m. and cooperate with the Investigating Officer, till conclusion of the the investigation.

- (ii) The appellant shall not tamper with the prosecution evidence and shall not issue any threat to the prosecution witnesses.
- (iii) The appellant shall not leave the jurisdiction of Manatha Police Station, Dist. Nanded without prior permission of the Investigating Officer till conclusion of the investigation.

(Y. G. KHOBRADE, J.)

JPChavan