

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 408 OF 2026

ASHIF SO AJIM SHAIKH JAHAGIRDAR  
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

.....

Mr. P. P. More, Advocate for Appellant  
Mr. A. A. A. Khan, APP for Respondents-State

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CORAM : S. G. CHAPALGAONKAR, J.  
[VACATION COURT]

DATE : 29 MAY, 2026

**PER COURT :**

1. The Appellant impugns the order dated 05.05.2026 passed by the learned Special/Additional Sessions Judge in Criminal Bail Application No.70/2026 and seeks pre-arrest bail in connection with FIR bearing Crime No.98/2026 registered on 05.04.2026 with Udgir City Police Station, District Latur, for offences punishable under Sections 118(1), 115(2), 351(2)(3), 189(2), 191(2)(3), and 190 of the Bhartiya Nyaya Sanhita, 2023, as well as Sections 3(1)(r), 3(1)(s), and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and Section 135 of the Maharashtra Police Act, 1989.

2. Perused the FIR. Apparently, omnibus allegations have been made against several accused persons regarding caste-based abuses. This Court has consistently held that omnibus allegations of caste-based abuses made in chorus cannot attract the offence under the Atrocities Act. Therefore, the bar under Section 18 of the Atrocities Act does not operate against the Appellant.

3. In view of the above, I pass following order :

**ORDER**

- (i) Issue notice to Respondents, returnable on 17.06.2026. Learned APP waives service of notice for Respondent No. 1.
- (ii) Till the returnable date, in the event of arrest of Appellant namely Ashif So Ajim Shaikh Jahagirdar in connection with Crime No.98/2026 registered on 05.04.2026 with Udgir City Police Station, District Latur, for offences punishable under Sections 118(1), 115(2), 351(2)(3), 189(2), 191(2)(3), and 190 of the Bhartiya Nyaya Sanhita, 2023, as well as Sections 3(1)(r), 3(1)(s), and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and Section 135 of the Maharashtra Police Act, 1989, be released on bail on executing PR. Bond and Surety Bond of Rs.15,000/- with one solvent surety in the like amount.
- (iii) The Appellant shall attend the concerned Police Station on every Monday between 10.00 a.m. and 02.00 p.m. till the next date.
- (iv) The Appellant shall not tamper with the prosecution evidence in any manner whatsoever.
- (v) The Appellant shall cooperate with the Investigating Agency.

[ S. G. CHAPALGAONKAR ]  
JUDGE