



(1)

931 cri apeal 855.25

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

931 CRIMINAL APPEAL NO. 855 OF 2025

**VISHAL VASANTRAO PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

.....

Advocate for Appellant : Mr. Shaikh Wajeed Ahmed
APP for Respondents/State : Mr. S.S. Dande
Advocate for the Resp. No.2 : Mr. S.P. Katneshwarkar

.....

**CORAM : Y.G. KHOBRAGADE, J.
DATE : 09.04.2026**

P.C.:-

1. Heard the learned counsel for the appellants, Mr. Dande the learned APP for the respondent/state and Mr. Katneshwarkar the learned counsel appearing for the respondent no.2 at length.

2. By the present appeal under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the appellants/accused are challenging the order 03.11.2025 passed in Criminal B.A. No.240/2025 by the learned Additional Sessions Judge / Special Judge, Basmatnagar, Dist. Hingoli, thereby declined to release the appellants/accused on anticipatory bail in connection with Crime No.421/2025 registered with Kurunda Police Station, Dist. Hingoli on 09.10.2025 for the offence



punishable under Section 303(2), 305, 119(1),(2), 190, 191(1)(2), 324(4) (5), 115(2), 118(1) read with Section 3(5) of the BNS Act and under Section 3(1)(r), 3(1)(s), 3(2)v) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. On 12.11.2025, this Court passed an order and enlarged the appellants/accused on ad interim anticipatory bail on certain terms and conditions in the said crime. As per the FIR, on 09.10.2025 the respondent no.2/informant alleged that on 26.01.2024, the appellants/accused entered in his field and damaged standing crops and also removed valuable articles including yellow metal and white metal ornaments and other articles because of him belonging to scheduled tribe community, so also, he was dispossessed from his land and he was socially boycotted.

4. The learned APP submitted the report including the case diary. The learned APP submits that the I.O. had thoroughly conducted the investigation and recorded statements of various witnesses. However, the story narrated by the respondent no.2/informant in the FIR does not corroborate the facts. So also, none of the witnesses stated about occurrence of the said incident dated 26.01.2024. Therefore, the I.O. filed 'B' summary before the learned Special Court, Basmatnagar. However, the learned trial Court is yet to accept the report. Therefore, considering the nature of offences



and the story narrated by the respondent no.2 as well as the case diary submitted by the Investigating Officer, I am of the view that the ad interim inter relief granted by this Court on 12.11.2025 needs to be extended till disposal of the proceeding arising out of Crime No.421/2025 registered with Kurunda Police Station, Dist. Hingoli on the same terms and conditions.

5. In view of above, the impugned order dated 03.11.2025 passed by the learned Additional Sessions Judge, Basmathnagar, Dist. Hingoli in Criminal B.A. No.240/2025 is hereby quashed and set aside. The appellants are enlarged on anticipatory bail on the same terms and conditions as provided in order dated 12.11.2025 till the disposal of the said proceeding arising out of Crime No. 421/2025.

6. Criminal Appeal is accordingly disposed of.

[Y.G. KHOBRAGADE, J.]