



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPEAL NO.134 OF 2025**

(Jaysingh Himmatsingh Ingle and anr. Vs. State of Maharashtra and anr.)

Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

Mr. S.V. Sirpurkar, Advocate for the appellants.  
Ms S.S. Dhote, APP for the State.

**CORAM:- URMILA JOSHI-PHALKE, J.**  
**DATED :- MARCH 12, 2025.**

By preferring this appeal, the appellant has challenged the order dated 06/11/2024 passed by the Additional Sessions Judge, Khamgaon, District Buldhana in Regular Bail Application No.457/2024, rejecting the anticipatory bail application of the present appellants.

2. Learned Counsel for the appellants submitted that the crime is registered on the basis of report lodged by Bhaurao Tejrao Helode against the co-accused on an allegation that on 16/10/2024 at about 9.00 PM their vehicle was restrained by the co-accused and they were assaulted and also abused on their caste. On the basis of the said report, police have registered the crime.

3. Learned Counsel for the appellants submitted that as far as present appellants are concerned neither their names are mentioned in the FIR nor any role is attributed to them, therefore, bar under Section 18 of the Atrocities Act is not attracted. However, learned trial Court has not considered the same and rejected the application.

4. Being aggrieved and dissatisfied with the same, the present appeal is preferred.

5. Learned APP strongly opposed the said prayer on the ground that it is specifically mentioned in the FIR that there were three unknown persons. The identification of three unknown persons is to be carried out, and therefore, their custodial interrogation is required. In view of that, she requested for rejection of the prayer.

6. I have heard learned Counsel for both the sides and on perusal of the recitals of the FIR admittedly, the names of the present appellants are not mentioned in the FIR, no specific role is attributed to them. From the recitals of the FIR at this stage, no *prima facie* case is made out, and therefore, the bar under Section 18 of the Atrocities Act will not attract. In view of that, the appellants have made out a case for grant of ad-interim protection. Accordingly, I proceed to pass following order:

(i) Issue notice to the respondents, returnable after three weeks.

(ii) Learned APP waives notice for the State and seeks time to file reply.

(iii) The Police Station Officer, Police Station Hiwarkhed, District Buldhana shall intimate respondent No.2.

(iv) In the event of arrest, the appellants –  
1) Jaysingh Himmatsingh Ingle and 2)

Shashank Ramsingh Rajput (Ingle) in connection with Crime No.222/2024, registered with Police Station Hiwarkhed, District Buldhana, for the offence punishable under Sections 115(2), 118(1), 127(2), 3(5), 351(2), 351(3), 352 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, be released on ad-interim anticipatory bail, on executing P.R. Bond in the sum of Rs.25,000/- each with one solvent surety each in the like amount.

(v) The appellants shall attend the concerned police station once in a week i.e. on every Monday between 10.00 AM and 1.00 PM and shall cooperate with the investigating agency.

(vi) The appellants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

**(URMILA JOSHI-PHALKE, J.)**