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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 CRIMINAL APPEAL NO. 630 OF 2025

TEJAS ASHOK MANDAVE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr.N.S.Ghanekar, Advocate for the appellants.
Mr.G.O.Wattamwar, APP for the respondent/State.

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 8 OCTOBER, 2025

PER COURT :

1. Heard the learned Advocate for the appellants and the learned APP. Despite appointment of the learned Advocate Mr.S.A.Ambelwade to represent respondent No.2 on 22.09.2025, he has not appeared since last 2 dates.

2. According to the learned Advocate for the appellants, the Informant has lodged the report on 18.07.2025 for the offence punishable u/s 115(2), 118(1), 3(5), 351(3), 352 of the B.N.S. r/w 3(1)(r), 3(1)(s), 3(2)(va) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. As per the report, it is

stated that on 17.07.2025, around 12.00 in the noon, the accused persons alleged to have assaulted the informant. According to the informant, due to said assault by motor cycle chain, he has sustained injuries. On his report, the Police have registered crime against the appellants.

3. The learned Advocate Mr.Ghanekar submits that the allegations made against the appellants not constituted the offence as alleged against them. As such, they are entitled for grant of bail. He also submits that as regards producing the alleged weapon i.e. motor cycle chain, it can be made available to the Investigating Officer, if they have been protected. On the contrary, the learned APP submitted that the applicants/accused are involved in the instant crime and they have assaulted the victim/ informant by an iron chain, which is required to be seized from them. Investigation in this crime is in progress. Hence grant of anticipatory bail to the applicants shall hamper the investigation. He also submits that the Investigating Officer has recorded the statements of eye witnesses. As they are attributed with specific role, they are not entitled for grant of bail.

4. Looking to the submissions made by the learned Advocates for the parties, it is clear that the crime has taken place on 17.07.2025. The applicants are the labourers, aged about 19 and 21 respectively and they are also taking education in the Educational Institute.

5. Looking to the tender age of the applicants and simple injuries caused to the informant, this Court is inclined to grant anticipatory bail to the appellants. The learned APP submits that the appellants/accused and the informant are of the same village and they may not be permitted to enter the said village.

6. Considering the above, following order is passed:-

ORDER

(i) In the event of arrest of the applicants in connection with C.R. No. 185/2025, registered with Neknoor Police Station, District Beed, for the offences punishable under Sections 115(2), 118(1), 3(5), 351(3), 352 of the B.N.S. r/w 3(1)(r), 3(1)(s), 3(2)(va) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the applicants are directed to be released on bail on their furnishing PR bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand Only) each with one solvent surety in the like amount.

(ii) The applicants shall attend the concerned Police

Station on every Monday at 11.30 am. They are further directed to co-operate the investigation.

(iii) The applicants shall furnish details of residential address and other contact details, the same shall be immediately informed to the concerned police station.

(iv) The applicants shall not leave the jurisdiction of the Court without prior permission of the Court, until further orders.

(v) They shall not contact and/or influence the witness/es and/or tamper with the evidence in any manner whatsoever.

(vi) The applicants shall not enter the village without prior permission of the Court, until further orders.

(SUSHIL M. GHODESWAR, J.)