



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 797 OF 2025

NAGESH BHARAT SATAV

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Shri Vishal Amritlal Bagdiya, Advocate for the Appellant.

Ms. Uma S. Bhosle, APP for Respondent No.1/State.

Shri Al Amoodi A.M., (appointed), Advocate for Respondent No.2/ informant.

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 13 November 2025

P. C. :-

1. By this appeal, the appellant seeks regular bail in pursuance of Crime bearing FIR No.463/2025 registered on 21.08.2025 with Kalamnuri Police Station, District Hingoli for the offences punishable under Sections 132, 221, 351(2), 79, 3(5), 78(1)(i), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(w), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the Atrocities Act'). The FIR came to be lodged at the behest of respondent No.2/ informant.

2. The informant alleged that she is serving as Circle

Inspector at Kalamnuri. She was dealing with revenue entry matter and in the said matter, some parties sought adjournment. When she was about to adjourn the matter, the appellant along with his friend i.e. accused No.2 created disturbance. It is alleged that the appellant has removed his clothes and became semi-nude and asked accused No.2 to do video shooting of his act. Due to this conduct of the appellant, the informant was virtually humiliated and she was also not allowed to come out of her chamber. She, therefore, called her husband and even after her husband came there, the appellant continued with the aforesaid obscene act. The informant, thereafter, went to the chamber of the Tahasildar, however, the accused persons alleged to have followed her. On the basis of these allegations, the FIR came to be registered.

3. During the course of investigation, the appellant came to be arrested on 06.10.2025 and since then he is behind bars.

4. Learned advocate for the appellant submits that investigation as regards crime is almost over and mere formality of filing the charge-sheet is remained. The appellant's mother is

very old age and his wife is pregnant. As such, there is nobody to look after his family. If the appellant is released on bail, he will abide by all conditions as may be imposed by this Court.

5. *Per contra*, learned APP as well as learned advocate for the informant have vehemently opposed the instant appeal. According to them, the appellant is involved in serious offence and if he is released on bail, he will threaten witnesses. There are as many as five criminal cases pending against the appellant and he is habitual offender. The appellant has committed serious act of obstructing Government servant and by using force, he has obstructed her not to perform her public duties. They, therefore, prayed for dismissal of this appeal.

6. After having heard learned advocates for the respective parties and after going through the material available on record including investigation papers made available to me, it is found that the appellant is arrested on 06.10.2025 and investigation in the instant crime is already over and mere filing of the charge-sheet is remained. Moreover, according to the appellant, his wife is pregnant and his mother is old age lady and he requires to take care of them. Therefore, I am inclined to grant

bail to the appellant.

7. In view of the aforesaid facts and circumstances, the instant appeal deserves to be allowed by granting bail to the appellant on certain conditions. Hence, the following order:

ORDER

- a) The Criminal Appeal stands allowed.
- b) The order dated 14.10.2025 passed by learned Additional Sessions Judge, Hingoli, in Criminal Bail Application No.464/2025 is quashed and set aside.
- c) In connection with Crime bearing FIR No.463/2025 registered on 21.08.2025 with Kalamnuri Police Station, District Hingoli for the offences punishable under Sections 132, 221, 351(2), 79, 3(5), 78(1)(i), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(w), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the appellant shall be released on furnishing PR bond of Rs.25,000/- [Rupees Twenty Five Thousand Only] with one solvent surety/ security in the like amount.
- d) The appellant shall attend the concerned Police Station on every Monday at 11:00 AM in morning till the filing

of the charge-sheet.

e) The appellant shall not try to contact or pressurize the witnesses or the informant, in any manner whatsoever.

f) The appellant shall not enter the territorial jurisdiction of Kalamnuri taluka till the filing of the charge-sheet, except on the dates of appearance before the Investigating Officer. He shall give his residential address to the concerned Investigating Officer.

8. However, it is made clear that the observations made in this order are *prima facie* in nature for the purpose of adjudication of this appeal and the learned Trial Court shall not be influenced by the same.

9. Learned advocate for respondent No.2/ informant is appointed through Legal Aid. His fees shall be quantified and paid to him as per rules, by the High Court Legal Aid Services Sub-Committee, Bench at Aurangabad.