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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 CRIMINAL APPEAL NO. 909 OF 2025

ANKUSH RAMBHAU MANDALIK

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

Mr.K.S.Solanke h/f Mr.S.J.Naik, Advocate for the appellant.
Mr.V.M.Lomte, APP for the respondent / State.
Mr.Salve, Advocate for respondent No.2.

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 23 DECEMBER, 2025

PER COURT :

1. Heard the learned Advocates for the respective parties.
2. The appellant is praying for quashing and setting aside the impugned order dated 14.11.2025 passed by the learned Special (Atrocity) Judge, Beed, Dist. Beed below Exh.1 in Cri.Bail Application No.1788/2025 and also praying to release him on anticipatory bail.
3. The prosecution case is as under :-

Vide Crime No.299/2025, a report was registered by

respondent No.2, with Talwada Police Station, Dist.Beed for the offence punishable u/s 3(1)(r), 3(1)(s), 3(2)(va), 3(1)(w)(i), 3(1)(w)(ii) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and u/s 118(1), 115(2), 352, 75, 74 of the Bhartiya Nyay Sanhita, 2023.

4. In the said report, it is submitted by the informant that on 01.10.2025 at about 9.00 p.m., she herself and her parents were present in the house and the door was closed. At about 10.00 p.m., they heard sound of hitting on their door. When she peeped out of the window, she noticed that the applicant/accused was hitting on the door. As she got scared, she immediately informed about the same to her brother Ravindra on phone. Her brother came immediately with Datta Vairal, Dinkar Mirkute and Mahadev Kasbe. When the brother of the informant tried to talk with the accused, the accused started abusing and assaulting him with slaps. Due to the said quarrel, informant and her parents came out of the house. Then the applicant/accused caught her and used toxic words against her, abused her by referring to her caste and outraged her modesty. When the father of the informant tried to pacify the quarrel, the accused assaulted him with knife and caused

injury on his right hand. Then the friends of Ravindra, who accompanied him i.e. Datta Vairal, Dinkar Mirkute and Mahadev Kasbe intervened and pacified the scuffle. Then the informant lodged FIR against the accused.

5. The learned Advocate for the appellant submits that the appellant has been falsely implicated in the instant crime. He is not involved in this entire case and in order to settle the personal score, false FIR has been registered against him. He further submits that the incident in question has not taken place at all within a public view. He has further submitted that there are no allegations in respect of the caste of the victim so as to attract the offence under the SC and ST (Prevention of Atrocities) Act. He further submits that the entire allegations are false and he is not in any way involved in this crime. He further submits that the appellant is a married person and he is running a grocery shop. Since he is apprehending arrest, his means of livelihood came to be affected if the bail application is not considered. He further submits that he is ready to abide by any conditions as may be imposed by this Honble Court. Therefore, prayed for allowing the instant appeal.

6. Per contra, the learned APP submitted that the investigation in this crime is in progress. However, since the appellant is absconding, the knife used in the instant crime is yet to be recovered. He has further submitted that the injury certificates have been obtained by the Investigating Officer, which discloses that the injured have received simple injuries. It is further submitted by the learned APP that the custodial interrogation of the appellant is necessary in order to recover the knife as well as to take the investigation to its logical end. He further submitted that the appellant is involved in a serious crime, that too against a woman, whose modesty was outraged in front of her relatives and the appellant also assaulted the victims, used very abusive and toxic language against the informant referring to her caste in a public view. The learned APP, therefore, prayed for rejection of the instant appeal.

7. Heard the learned Advocate Mr.Salve, for respondent No.2. He submitted that the appellant has committed very serious crime against the woman belonging to the Scheduled Caste. If the appellant is released on bail, he may threaten the prosecution witnesses and can also tamper the evidence. The informant is a young woman and

already under fear and hence prays for rejection of the instant appeal. He also adopted the submissions made by the learned APP

8. On the basis of investigation papers placed before this Court, it is clear that initially the appellant has approached to the house of the victim with weapon alongwith him. The victim, who was already frightened, was required to call her brother, who came alongwith his friends on the spot. In front of them, the appellant/accused alleged to have abused the victim/informant by referring to her caste, also outraged her modesty by touching her inappropriately. The appellant has also carried knife alongwith him and inflicted injuries on the witnesses. The injury certificates placed before this Court supports the prosecution case. Thus there is justification in the submissions of the learned APP that the appellant is required to be interrogated, hence his custody is necessary. Unless and until the appellant is interrogated, the investigation cannot be taken to it's logical end.

9. Considering all the facts stated above and on going through the submissions of the learned Advocates for the respective parties and the learned APP, prima facie case is made out against the appellant.

Hence, he cannot be released on bail as is prayed for.

10. Hence the instant appeal stands dismissed.

(SUSHIL M. GHODESWAR, J.)