

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO.1089 OF 2024

Ranga @ Mayappa Mhalappa Mane and anr. ... Appellants
Vs.
The State of Maharashtra and anr. ... Respondents

Mr. Mrinal Sharma h/f Mr. Mithilesh Mishra, Advocates for the Appellants.
Mr. Sameer M. Mangaonkar, APP for the State/the Respondent No.1.
Mr. Sushan Mhatre, Advocate for the Respondent No.2.

**CORAM : SHIVKUMAR DIGE, J.
DATE : 29 APRIL, 2025.**

PC. :

1. The learned Special Judge has rejected the anticipatory bail application of the Appellants. The Appellants apprehending arrest in Crime No.576 of 2024 registered with Mangalwedha Police Station for the offences punishable under Sections 118(1), 115(2), 352, 351(2), 351(3) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 and under Section 3(1)(R) (S), 3(2)(V) of the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. It is prosecution's case that on 15th August, 2024 when First Informant was present in his house, at that time Appellant and co-accused

came there and called him outside his house and abused him on his caste on the ground of grazing cattle issue.

3. It is contention of the learned counsel for the Appellants that Appellants have been falsely implicated in this case. The incident was not happened in public view. The house of the First Informant is situated in agricultural land, so it cannot be considered as public view. Learned counsel further submitted that there is no allegation of abuse. There are no specific allegations against Appellants to abuse on caste to First Informant. The said allegations are in chorus. The Appellants are on interim relief. They have co-operated with the investigation, hence, requests to allow the appeal.

4. It is the contention of the learned counsel for the Respondent No.2 that the Appellants had gone to the house of the First Informant, called him out of the house and abused him on his caste and assaulted him with fist and kick blows. If Appellants released are on bail, they may threat prosecution witnesses and First Informant and requests to dismiss the appeal.

5.

5. I have heard both learned counsel. Perused FIR and documents produced on record.

6. In FIR allegations against the Appellants and co-accused are that they called First Informant out of his house and abused him on caste and assaulted him with fist and kick blows. There are specific allegations on abuse on caste. It is in chorus.

7. Considering these facts, I pass the following order:-

ORDER

- (i) The Appeal is allowed.
- (ii) In the event of arrest, the Appellants be released on bail in Crime No.576 of 2024 registered with Mangalwedha Police Station, on executing a P. R. Bond in the sum of Rs.30,000/- each with one or two sureties each in the like amount.
- (iii) The Appellants shall attend the concerned Police Station as and when required.
- (iv) The Appellants shall not contact/influence or threaten or pressurize the complainant or otherwise tamper with the prosecution evidence/witnesses.
- (v) All pending Applications, if any, are disposed of.

(SHIVKUMAR DIGE, J.)