

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

CRIMINAL APPEAL NO.117 OF 2025

Satish Eknath Nanekar Appellant

V/s.

State Of Maharashtra And Anr Respondents

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Mr.Vaibhav V. Ugle, for the Appellant.

Mr.Ashok Metkari, APP, for Respondent-State.

Mr.Abhishek Karnik, for Respondent No.2.

Mr.Shantanu Naik Nimbalkar, PSI, Kalewadi Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 06th AUGUST 2025

P.C:-

. The Special Court has rejected the Bail Application of the Appellant.

2. The Appellant is apprehending arrest, in connection with investigation of Crime No.1276 of 2025 registered with Wakad Police Station, for offences punishable under Sections 110, 118(1), 189(1), 189(2), 190, 352, 351(2), 351(3) and 324(4) of the Bharatiya Nyay Sanhita, 2023 and under Section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes

(Prevention of Atrocities) Act, 1989 ('SCST Act' for short).

3. It is prosecution case that, on 28th November 2024 around 2.00 p.m., the Appellant and co-accused assaulted the first informant when he was working in the plot and abused him on caste.

4. It is contention of the learned counsel for the Appellant that, the Appellant has been falsely implicated in this case. No incident is happened, as dispute in respect of the ownership of that plot is going on between the Appellant and other party. The first informant is servant of the opposite party, of the Appellant. A false case is filed against the Appellant. The learned counsel further submitted that, though the first informant has stated that, due to assault by the Appellant and co-accused his leg is fractured but no x-ray in that regard is produced on record, it shows that, false case is filed against the Appellant and requested to allow the Appeal.

5. It is contention of learned APP and learned counsel for the Respondent No.2 that, the Appellant and co-accused assaulted the first informant with stone. The Appellant has

abused the first informant on caste. There are specific allegations against the Appellant. Considering the allegations against the Appellant, his custodial interrogation is required and requested to dismiss the Appeal.

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

7. In the FIR it is mentioned that, the Appellant and co-accused assaulted on the left leg of the first informant with stone.

8. The learned APP, on instructions, submit that the first informant had not submitted x-ray of his fractured leg in spite of the direction given by the Investigating Officer.

9. Considering these facts, as well as incident was happened in the plot, so in my view it was not in public view.

10. In view of above, I pass following order.

ORDER

(i) The Appeal is allowed.

(ii) In the event of arrest, the Appellant-
Satish Eknath Nanekar be released on bail in
Crime No.1276 of 2025 registered with Wakad

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 Appellant shall attend the concerned Police Station as and when required.

(iv) The Appellant shall not contact/influence or threaten or pressurize the complainant or otherwise tamper with the prosecution evidence/witnesses.

(v) All pending Applications are disposed of.

(SHIVKUMAR DIGE, J.)