

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

CRIMINAL BAIL APPLICATION NO. 1968 OF 2025

Mohan Fakira Jadhav

...Applicant

Versus

The State of Maharashtra and Anr.

...Respondents

Mr. Sandeep Gupta i/b Mr. Shrirang Katneshwarkar, learned Advocate for the Applicant.

Mr. Tanveer G. Khan, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.

DATE : 1st AUGUST 2025.

P.C. :

1. Heard Mr. Sandeep Gupta, learned Advocate for the Applicant and Mr. Tanveer Khan, learned A.P.P. for the State/Respondent.

2. Mr. Sandeep Gupta, learned Advocate for the Applicant submits that by the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS" for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 446 of 2024 registered with Malegaon Taluka Police Station, District-Nashik Rural for the offences punishable under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 3(2)(5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 ("SCST Act" for short). He points out that the offences involved in the present crime are under

SCST Act. He submits that remedy against any order under the said Act, is by way of an Appeal, as such an Appeal would lay under Section 14-A of the said Act. He submits that by inadvertence, the Applicant has filed an Application under Section 483 of the BNSS instead of an Appeal under Section 14-A of the said Act. He submits that the present Bail Application is filed within a period of 90 days from the date of passing of the order of rejection, i.e., 2nd April 2025, as such within time.

3. Mr. Tanveer Khan, learned A.P.P. does not object to the conversion of the present Bail Application to an Appeal under Section 14-A of the SCST Act, subject to the required averments being made in the Application. Leave granted to the Applicant to amend the present Application by making the requisite amendments for maintaining an Appeal.

4. Registry to convert the present Bail Application to an Appeal to register under Section 14-A of the SCST Act.

5. List the matter after fresh registration.

[ASHWIN D. BHOBE, J.]

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