



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO.348/2025

(Sagar Dilipsingh Thakur Vs. The State of Maharashtra and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Vipul B. Bhise, Advocate for the appellant.
Mr. V.A. Thakare, A.P.P for respondent No.1/State.
Ms. B.N. Gavhale, Advocate for respondent No.2.

CORAM: MRS.VRUSHALI V. JOSHI, J.
DATED: 17.9.2025.

The appellant has filed this appeal under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. The appellant is arrested in Crime No.39/2023 for the offence punishable under Sections 143, 147, 149, 294, 323, 324, 326, 354, 427, 452, 504 and 506 of the Indian Penal Code and Sections 3(1)(r) (s), 3(1)(w)(i)(ii) and 3(2)(v) of the Atrocities Act and Sections 4 and 25 of the Arms Act.

3. The quarrel took place between two families who are staying adjacent to each other. In said quarrel, the allegations are made that the appellant and other co-accused have insulted by naming caste of the complainant and assaulted them with fist and blows and, therefore, the offence is registered.

4. The learned Advocate for the appellant has stated that other co-accused are released on bail. The bail is not granted only to this appellant. The injured is discharged. The charge sheet is filed. The

custodial interrogation of this appellant is not required. Hence, prayed to release the appellant on bail.

5. The learned A.P.P. opposed the appeal by stating that in this case charge sheet is filed in the year 2023 and this appellant is shown as absconding under Section 299 of the Code of Criminal Procedure. The present appellant was not available for trial. The applicant has moved before the Sessions Court for twice for anticipatory bail which applications are rejected. The name of this appellant is mentioned in supplementary charge sheet and as his name is disclosed in statement recorded under Section 164 of the Cr.P.C. Gupti was used by this appellant. The specific role is attributed against the present appellant. As the appellant was absconding, custodial interrogation of this appellant is necessary. The offence under Atrocities Act is registered against this appellant there is bar under the said Act, therefore, prayed to reject the appeal.

6. Heard both sides and perused the record.

7. It appears from the record that since 2023 the appellant is absconding. Some of the accused in this crime have surrendered and some of them are protected by granting anticipatory bail. The charge sheet is filed. This appellant had filed bail application for twice which are rejected. After one year of rejection of anticipatory bail by the trial Court the appellant has approached this Court.

8. On the basis of statement made by one Danwe who has specifically mentioned the role played by this appellant and the words uttered by this appellant, the offence under the Atrocities Act is registered and there is bar under Section 18 of the said Act to grant anticipatory bail. Considering the role played by this appellant, the

weapon used for the commission of crime and as the offence under the Atrocities Act is registered against this appellant, even after three years his custodial interrogation is necessary as he is absconding since then. Hence, the appeal is dismissed.

(MRS. VRUSHALI V. JOSHI, J.)