



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

CRIMINAL APPEAL NO.469/2025

(Amar @ Amol Vithalrao Rithe Vs. 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. F.T. Mirza, Senior Advocate with Ms. S.F. Mirza, Advocate for the appellant.

CORAM: MRS.VRUSHALI V. JOSHI, J.

DATED: 30.9.2025.

Heard.

2. Issue notice to the respondents, returnable on 3.11.2025.
3. The appellant is apprehending arrest in Crime No.581/2025 for the offence punishable under Sections 118(1), 352, 351(2) and 351(3) of the Bhartiya Nyaya Sanhita, 2023 and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
4. It is alleged that on 20.7.2025 at about 8 p.m. the informant left his pan shop (betel kiosk). The appellant allegedly without any reason slapped him and further abused him by questioning as to why he was teasing the appellant's daughter. The informant requested the appellant to call his daughter. At that time, the appellant gave a blow of raiser on the chest of the first informant and also extended treats to kill him.
5. The learned Senior Advocate for the appellant has stated that because of the harassment at the hands of first informant and other co-accused, appellant's daughter had consumed poison.
6. The trial Court rejected the application stating that raiser has to be seized from this appellant.

7. Considering the nature of allegations against the appellant and as there are no allegations about insulting the caste and because he is of same caste crime is committed are not the allegations, therefore, bar under Section 18 of the said Act will not be attracted. Hence, the appellant is protected by ad interim anticipatory bail on following terms and conditions.

i) It is directed that in the event of arrest of the appellant-Amar @ Amol Vithalrao Rithe, in connection with Crime No.581/2025, registered with Arni Police Station, District Yavatmal, for the offence punishable under Sections 118(1), 352, 351(2) and 351(3) of the Bhartiya Nyaya Santhia, 2023 and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, he be released on bail on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount.

ii) The appellant shall not in any way tamper with the prosecution evidence.

iii) The appellant shall not pressurize or threaten the prosecution witnesses.

iv) The appellant shall co-operate with the Investigating Officer.

v) The appellant to attend the concerned Police Station once in a week i.e. on Monday at 10 a.m. to 12 p.m.

8. This protection shall remain in force till next date.

9. Liberty to move the Vacation Court, if needed.

(MRS.VRUSHALI V.JOSHI, J.)