



**SIN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CRIMINAL APPEAL NO. 565 OF 2025

Vijay Vitthalrao Bonde Vs. State of Maharashtra and other.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.Mahesh Rai, counsel for the appellant.
Ms.Sonia Thakur APP for the State.

CORAM : NIVEDITA P. MEHTA, J.

DATE : 20/11/2025

1. Heard.
2. Issue notice to the respondents, returnable on 05/12/2025.
3. Learned APP waives service of notice for respondent/State.
4. Learned APP seeks time to file reply in the matter.
5. The appellant has preferred the present appeal seeking grant of anticipatory bail in connection with Crime No. 352 of 2025 registered with Police Station Tamgaon,

District Buldhana, for offences punishable under Sections 74, 75, 76, 115(2), 296, 324(4), 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023, and Sections 3(2)(va), 3(1)(w)(i), and 3(1)(w)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

6. According to the prosecution, a dispute had arisen between the appellant and the informant on 17.05.2025 in relation to agricultural land bearing Gat No. 110 situated in Mominabad Shiwar. It has been brought on record that an earlier complaint regarding the same dispute had already been lodged on 16.04.2025, resulting in registration of Crime No. 148 of 2025 at Police Station Tamgaon for offences under Sections 118(1), 115(2), 352, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023, and Section 3(5) of the SC/ST Act (page 44 of the compilation).

7. It is further alleged that the appellant outraged the modesty of the informant, assaulted her husband with fists and blows, and caused damage amounting to Rs. 50,000/- to the standing Tur and Soyabean crops in the agricultural field. The informant asserts that due to apprehension of extreme retaliation by the appellant, she lodged the present report only on 28.10.2025.

8. Learned counsel for the appellant submits that a bare reading of the First Information Report discloses an unexplained delay of nearly five months between the alleged incident and the filing of the FIR. It is his contention that the appellant had entered into an agreement to purchase agricultural land Gat No. 110 from the Sable family and that the present complaint is a concocted version engineered by the informant to frustrate the said transaction. He further points out that the Sable family had earlier filed a complaint on 16.04.2025 in Crime No. 148 of 2025 against the informant, her husband, and her son, and therefore, the present FIR appears to be a counterblast to the said proceedings.

9. Per contra, the learned Additional Public Prosecutor submits that the allegations against the appellant are specific and serious. It is contended that the appellant is known to be a local strongman, which caused fear in the mind of the informant and resulted in delay in lodging the report. It is further argued that the informant was allegedly molested and was subjected to caste-based abuses in public view, attracting the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Thus, according to the learned APP, the appellant is not entitled to the relief of ad-interim anticipatory bail.

10. Having considered the rival submissions, the nature of allegations, the delay in lodging the FIR, the existence of an earlier complaint regarding the same land dispute filed by the Sable family, and the material placed on record, and without entering into the merits of the matter, this Court is of the prima facie view that the appellant has made out a case for grant of ad-interim anticipatory bail. Hence, the following order is passed:

[i] It is directed that in the event of arrest of the appellant-Vijay Vitthalrao Bonde in connection with Crime No.352 of 2025, registered with Police Station Tamgaon, district Buldhana for the offence punishable under Sections 74, 75, 76, 115(2), 296, 324(4), 351(2),351(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 3(2)(va),3(1)(w)(i) and 3(1)(w)(ii) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, be released on bail on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand each with one 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 attend the concerned police station as and when called by the police.

[v] The appellant shall co-operate the investigating officer.

[vi] The protection shall remain in force till next date.

[NIVEDITA P. MEHTA, J]