IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

925 CRIMINAL APPEAL NO. 920 OF 2026

1. Govind Sakharam Raut

2. Vishnu Ashruba Raut

3. Bhagwan Ashruba Raut

4. Ashruba Uttam Raut ....Appellants

VERSUS

The State of Maharashtra & others .....Respondents

Mr. S. J. Salunke, Advocate for Appellants
Ms. R. R. Tandale, APP for the State.
Mr. H. V. Tungar, Advocate for Respondent No. 3.

CORAM : R. M. JOSHI, J.
DATE : 31st OCTOBER, 2026.

PER COURT :

1. Appellants seek pre-arrest bail in connection with Crime No. 354/2025 registered with Talwada Police Station, District Beed, for the offences punishable under Sections 119(1), 118(1), 118(2), 115(2), 189(2), 189(4), 191(2), 191(3), 190 of Bharatiya Nyaya Sanhita and Sections 3(1)(r), 3(1)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. After hearing learned Counsel for both sides and when this Court has shown disinclination to grant relief to Appellant No. 2 Vishnu Ashruba Raut, learned Counsel for Appellants, on instructions, seeks withdrawal of appeal qua Appellant No. 2 Vishnu Ashruba Raut.

3. Appeal stand dismissed qua Appellant No. 2 Vishnu Ashruba Raut as withdrawn.

4. First Information Report indicates that first informant is said to have been assaulted by the present Appellants and co-accused. The incident is said to have occurred on account of informant's visit to the agricultural field of the lady. In the said incident, he has sustained grievous injuries.

5. Learned Counsel for Appellants submits that the offences under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act have no application. Learned Counsel for the Appellant submits that the informant has doubtful character and against him previously also offences were registered for outraging of modesty of woman. According to him, the grievous injuries caused to

the informant are attributable to Appellant No. 2 Vishnu Raut whose appeal is withdrawn. He, therefore, seeks protection of liberty of rest of the Appellants.

6. Learned APP and learned Counsel for the informant opposed the appeal by submitting that the Appellants came together and caused assault and as such they have common intention to cause injury to the informant.

7. The present incident seems to have occurred in the backdrop of allegations against the informant of he outraging modesty of a lady. In such circumstances, it will be difficult to attribute common intention against all the accused. Appellant No. 2 seems to have caused the injuries which are grievous in nature. As far as other Appellants are concerned, though there are certain allegations against them, there is nothing to indicate that the grievous injuries caused to the informant are attributable to them. Having regard to said facts, appropriate directions to these Appellants to appear before the Investigating Officer shall serve the purpose of investigation. Hence, the following order :-

ORDER

(i) Appeal stands dismissed qua Appellant No. 2 Vishnu Ashruba Raut, as withdrawn.

(ii) In the event of arrest of Appellants Govind Sakharam Raut, Bhagwn Ashruba Raut and Ashruba Uttam Raut, in connection with Crime No. 354/2025 registered with Talwada Police Station, District Beed, for the offences punishable under Sections 119(1), 118(1), 118(2), 115(2), 189(2), 189(4), 191(2), 191(3), 190 of Bharatiya Nyaya Sanhita and Sections 3(1)(r), 3(1)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, they be released on bail on furnishing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) each with one surety in the like amount.

(iii) They shall attend the concerned police station on 03.11.2026 and 05.11.2026 between 11.00 am to 1.00 pm and thereafter on written intimation.

(iv) They shall not contact the witnesses directly or indirectly.

(v) They shall not interfere with the evidence in any manner whatsoever.

(vi) They are further directed to cooperate the investigating agency for further investigation.

(vii) Learned APP to communicate this order to the concerned Investigating Officer.

(R. M. JOSHI, J.)

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