IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 CRIMINAL APPEAL NO. 724 OF 2026

Appa Sopan Kale
VERSUS
The State Of Maharashtra And Others

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Mr. Vaibhav Nandkumar Shinde, Advocate (appointed through Legal Aid) for Appellant
Mr. S.S. Dande, APP for Respondent No.1-State
Mr. R.P. Adgaonkar, Advocate for Respondents No.2 to 6

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CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 20 NOVEMBER, 2026

PER COURT :

1. Heard learned counsel Mr. Shinde for the appellant, learned APP and learned counsel appearing for respondent Nos. 2 to 6.

2. By the present appeal, the appellant-informant challenges the order dated 09.07.2026 passed by the learned Additional Sessions Judge, Bhoom, in Criminal M.A. No. 14 of 2025, whereby the application filed by the appellant seeking cancellation of the anticipatory bail granted to respondent Nos. 2 to 6 by order dated 20.09.2025 passed in Criminal Bail Application No. 131 of 2025 came to be rejected.

3. Learned counsel Mr. Shinde for the appellant submits that, on the basis of the complaint lodged by the appellant, Crime No. 0240 of 2025 came to be registered against respondent Nos. 2 to 6 for the offences punishable under Sections 115(2), 352, 351(2) and 189(2) of the Bharatiya Nyaya Sanhita, 2023, and Sections 3(1)(r) and 3(1)(s) of the Scheduled

Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. He submits that, after registration of the aforesaid crime, respondent Nos. 2 to 6 filed Criminal Bail Application No. 131 of 2025 seeking anticipatory bail. The said application came to be allowed by the learned Sessions Court, subject to certain conditions, including the condition that they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the Court or to any police officer.

4. Learned counsel further submits that respondent Nos. 2 to 6 have breached the aforesaid condition by extending threats to the informant. He submits that the appellant brought this fact to the notice of the concerned Police Station by submitting an application. As no action was taken on the said application, the appellant approached the learned Sessions Court by filing an application seeking cancellation of bail. However, despite the specific allegations regarding the breach of the conditions of bail and the threats allegedly extended to the informant, the learned Sessions Court rejected the application. He, therefore, submits that the impugned order warrants interference and prays that the appeal be allowed.

5. Learned APP supports the present appeal for cancellation of anticipatory bail. Whereas, the learned counsel appearing for respondent Nos. 2 to 6 support the impugned order passed by the learned Sessions Court.

6. I have considered the submissions advanced by the learned counsel for the respective parties and, with their assistance, have perused the documents placed on record.

7. It is not in dispute that, while granting anticipatory bail to respondent Nos. 2 to 6, the learned Sessions Court had imposed certain conditions, including the condition referred to hereinabove. The appellant alleges that respondent Nos. 2 to 6 have breached the said condition by extending threats to the informant. It is his further case that an application in this regard was submitted to the concerned Police Station. During the course of hearing, a specific query was put to learned counsel for the appellant as to whether, in the event of no action being taken by the concerned Police Station on the basis of the application submitted by the appellant, the appellant had approached the jurisdictional Magistrate in that regard. Learned counsel submitted that he had no instructions on this aspect.

8. In the facts and circumstances of the case, the allegation regarding breach of the conditions of bail is required to be substantiated by appropriate material. Merely on the basis of the allegations made by the appellant and the fact that an application was submitted to the concerned Police Station, in the absence of any further material substantiating the alleged threats or breach of the conditions of bail, no case is made out for

cancellation of the anticipatory bail granted to respondent Nos. 2 to 6. The material placed on record does not warrant interference with the impugned order. Hence, the appeal deserves to be dismissed.

9. The appeal stands dismissed.

10. The fees payable to the learned Advocate appointed to represent the appellant shall be paid by the High Court Legal Aid Services Sub-Committee, Aurangabad, in accordance with the applicable Rules.

[SIDDHESHWAR S. THOMBRE]
JUDGE

S P Rane