IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 774 OF 2026

Kiran Machindra Raut
VERSUS
The State Of Maharashtra And Another

Mr. R. O. Awasarmol, Advocate for appellant
Ms. R. R. Tandale, APP for respondent-State
Ms. R. D. Chinchpurkar, Advocate for respondent No. 2

CORAM : R. M. JOSHI, J.
DATE : 22nd OCTOBER, 2026

PER COURT :-

1. Appellant seeks pre-arrest bail in connection with Crime No. 463 of 2026 registered with Kaij Police Station, Dist. Beed, for the offences punishable under Sections 115(2), 352, 351(2) of the Bharatiya Nyaya Sanhita and under sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. First Information Report indicates that an incident had occurred on 21.07.2026 at about 05:00 PM in which informant is said to have been abused over his caste by the appellant. There is further allegation of he following, abusing and assaulting him.

3. Learned Counsel for appellant submits that though such allegations are made, this is a case of false implication as no such

incident is ever occurred.

4. Learned APP and learned Counsel for informant opposed the appeal by referring to the allegations in the First Information Report.

5. In order to constitute offence of abuse over the caste of the informant, incident must take place in a public view. As far as incident is concerned, the independent statements of independent witnesses indicate that both appellant and informant were drunk and they were abusing each other. It was a case of manhandling. They, however, do not support allegations with regard to caste abuse. This Court finds substance in the contention of learned Counsel for appellant that this could be a case of false/over implication. Hence, the following order :-

ORDER

(i) Appeal is allowed.

(ii) In the event of arrest of appellant in connection with Crime No. 463 of 2026 registered with Kaij Police Station, Dist. Beed, for the offences punishable under Sections 115(2), 352, 351(2) of the Bharatiya Nyaya Sanhita and under sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, he shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount.

(iii) He shall attend the concerned police station as and when called by the Investigating Officer.

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

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

(vi) He is further directed to cooperate the investigating agency for further investigation.

6. Fees of appointed counsel is quantified at Rs. 10,000/-

(R. M. JOSHI, J.)

B. S. Joshi