



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

910 CRIMINAL APPEAL NO. 102 OF 2026

SOHEL NAZIR SHAIKH

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

....

Mr. V. R. Gadekar, Advocate for the Appellant

Mr. V. M. Chate, APP for Respondent No.1 – State

....

CORAM : Y. G. KHOBRAGADE, J.

DATE : February 12, 2026

PER COURT :-

1. Heard the learned counsel for the appellant.
2. By the present appeal, the appellant takes exception to the order dated 12.01.2026, passed by the learned Special Judge (Under SC & ST Act), Aurangabad, below Exh.1 in Criminal Bail Application No.27 of 2026, whereby declined to enlarge the appellant on anticipatory bail in connection with Crime No.593 of 2025, registered with Phulambri Police Station, District Chhatrapati Sambhajnagar, for the offence punishable under Sections 329(3), 351(2), 351(3) of B.N.S., under Section 3(1)(r),

3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. After going through the F.I.R., it appears that on 14.10.2025, at about 5.30 p.m., the present appellant / accused allegedly abused the informant / respondent No.2 on his caste in the agricultural field on account of removal of cattle from his field and issuance of life threat. However, the F.I.R. does not disclosed that the said abusement on the caste to the informant / respondent No.2 was within the public view. Therefore, at this juncture, I find that the appellant / accused has made out prima facie case to enlarge him on anticipatory bail.

4. Issue notice to the respondents, returnable on 26.02.2026.

5. The learned APP waives service of notice on behalf of respondent No.1.

6. In the meantime, in the event of arrest, the appellant / accused be released on anticipatory bail in connection with Crime No.593 of 2025, registered with Phulambri Police Station, District

Chhatrapati Sambhajanagar, for the offence punishable under Sections 329(3), 351(2), 351(3) of B.N.S., under Section 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, on execution of P. R. bond of Rs.25,000/- with surety bond of the like amount.

7. The appellant / accused shall appear before the Investigating Officer on every Monday till filing of the charge-sheet in between 10.00 a.m. and 12.00 p.m., and shall cooperate with the Investigating Officer.

8. The appellant shall not leave the jurisdiction of Phulambri Police Station, District Chhatrapati Sambhajanagar without the leave of the Investigating Officer till filing of the charge-sheet.

9. The appellant shall not issue any threats to the prosecution witnesses.

[Y. G. KHOBRAGADE, J.]

SMS