



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

913 CRIMINAL APPEAL NO. 142 OF 2026

**ASHWIN GOVARDHAN BARGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

....
Mr. Amol Ajay Pawar, Advocate for the Appellant
Mr. S. S. Dande, APP for Respondent Nos. 1 and 2 – State
....

CORAM : Y. G. KHOBRAGADE, J.

DATE : February 25, 2026

PER COURT :-

1. Heard the learned counsel for the appellant.
2. By the present appeal under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the appellant / accused takes exception to the order dated 12.02.2026, passed by the learned Special Judge (Atro), Rahata in Criminal Bail Application No.23 of 2026, thereby declined to enlarge the appellant / accused on anticipatory bail in connection with Crime No.15 of 2026, registered with Rahata Police Station on 12.01.2026, for the offence punishable under

Sections 118(1), 115(2), 352, 351(2), 3(5) of the B.N.S. and under Section 3, 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. On perusal of the F.I.R. dated 12.01.2026, it appears that on 11.01.2026, at about 8.30 p.m., the present appellant / accused with his associates Sagar Kale, Kartik Barge, Govardhan Barge, visited at Dr. Annabhau Sathe square and abused the informant and his blood relatives in filthy language and on their caste. The said abusement on the caste appears to be in chorus and with their common intention, assaulted the respondent No.2 / informant and others.

4. The learned counsel for the appellant submits that accused No.3 i.e. Kartik Barge is already released on regular bail and accused No.4 Govardhan Barge is released on anticipatory bail by the learned trial Court.

5. Therefore, considering that the casteist slur mentioned in the complaint may not have occurred in the manner alleged, the appellant is entitled to interim protection until the next date of hearing. In view of the above, I proceed to pass the following order:-

ORDER

- (i) Issue notice to the respondents, returnable on 11.03.2026.
- (ii) The learned APP waives service of notice on behalf of respondent Nos. 1 and 2.
- (iii) The Investigating Officer to serve respondent No.3.
- (iv) In the meantime, in the event of arrest, the appellant / accused Ashwin Govardhan Barge, be released on bail in connection with Crime No.15 of 2026, registered with Rahata Police Station on 12.01.2026, for the offence punishable under Sections 118(1), 115(2), 352, 351(2), 3(5) of the B.N.S. and under Section 3, 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, on furnishing P.B. and S.B. of Rs.50,000/- with one or two solvent sureties in the like amount.
- (v) The appellant shall furnish his residential proof and his cell number with the residential proof of his two close relatives with the Investigating Officer.
- (vi) The appellant shall attend the Investigating Officer twice in a week i.e. on Tuesday and Saturday between 10.00 a.m. and 2.00 p.m. till filing of the charge-sheet.

- (vii) The appellant shall not directly or indirectly make any inducement, threat or promise to any persons acquainted with the fact of the case. The appellant shall not tamper with the evidence.
- (viii) The appellant shall not leave the jurisdiction of the concerned Police Station without prior permission of the Investigating Officer.
- (ix) In the circumstance of recovery of any weapon or article, is to be made at the instance of the accused, in that circumstances, it would be deemed to be in custody of police of the appellant / accused for recovery of any such weapon or article.
- (x) The Investigating Officer is set liberty to take any action for breach of bail conditions in case committed by the accused / appellant
- (xi) The appellant / accused shall maintain the diary about visit to the concerned Investigating Officer.

[Y. G. KHOBRADE, J.]