



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

918 CRIMINAL APPEAL NO. 224 OF 2026

Anand Balaji Bhosale And Others

VERSUS

The State Of Maharashtra And Another

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Mr. M. B. Kolpe h/for h/for Mr. V. B. Deshmukh, Advocate for Appellant  
Mr. D. B. Bhange, APP for Respondent State

CORAM : Y. G. KHOBRAGADE, J.

Dated : 8th April, 2026

PER COURT :-

1. Heard learned counsel for the appellants.
2. By the present Appeal under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the appellants/original accused take exception to the order dated 18.03.2026 passed by the learned Additional Sessions Judge-5, Dharashiv, in Criminal Bail Application No. 109/2026, whereby the learned Judge declined to release the present appellants on pre-arrest bail in connection with Crime No. 207/2024, registered with Naldurg Police Station, District Dharashiv on 25.05.2024, for the offences punishable under Sections 307, 326, 323, 504, 506 read with section 34 of the Indian Penal Code and under Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. On perusal of the FIR, it appears that on 19.05.2024, the

present appellants visited the grocery shop of Shailesh Bhosale, situated near the house of Balaji Bhosale. There, appellant No. 2, Balaji Rajkumar Bhosale, allegedly abused the son of the informant by making caste-based remarks. However, there is no allegation that appellant Nos. 1 and 3 used any casteist slur against the son of the informant. Therefore, considering the law laid down by the Hon'ble Supreme Court in *Kiran Vs. Rajkumar Jivraj Jain and Ors, AIR 2025 SC 4083*, I am satisfied that appellant Nos. 1 and 3 have made out a prima facie case to enlarge them on ad interim anticipatory bail. However, at this juncture, considering use of casteist slur by accused/appellant no.2 Balaji Bhosale, I do not find it proper to enlarge him on anticipatory bail. Accordingly, I proceed to pass following order:

### **ORDER**

- (i) Issue notice to the respondents, **returnable on 22.04.2026.**
- (ii) The learned APP waives service of notice on behalf of respondent No.1. Investigating Officer to serve respondent no.2.
- (iii) In the meantime, in the event of arrest, appellant No. 1 Anand s/o Balaji Bhosale and appellant No.3 Shailesh s/o Rajkumar Bhosale be released on bail in connection with Crime No. 207/2024, registered with Naldurg Police Station, District Dharashiv on 25.05.2024, on execution of P R. bond of Rs.25,000/- each with two solvent sureties of the like amount.

- (iv) Appellant Nos. 1 and 3 shall appear before the concerned Police Station on Monday, i.e., 13.04.2026, between 9.00 a.m. and 11.00 a.m., and furnish bail bonds. Thereafter, they shall appear before the Investigating Officer on every Monday between 11.00 a.m. and 01.00 p.m. until filing of the charge-sheet.
- (v) Appellant Nos. 1 and 3 shall furnish their mobile numbers, as well as the mobile numbers of four nearest relatives, and shall cooperate with the Investigating Officer.
- (vi) Appellant Nos.1 and 3 shall not induce, threat or pressurize the prosecution witnesses.
- (vii) Appellant Nos. 1 and 3 shall not commit similar offence in future.

( Y. G. KHOBRADE, J. )