



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 226 OF 2026

1. Mahadev @ Mahadu Haribhau Ture
2. Baburao Dagadu Chilgar
3. Limbaji @ Dada Asaram Arjun
4. Ashok @ Ajay Dilip Dabhade
5. Tukaram Sakharam Chopade
6. Asaram Atmaram Chopade
7. Navnath Sahebrao Kolekar
8. Ramchandra @ Chandar Anantrao Kolekar
9. Baliram Haribhau Ture
10. Lahanu Devidas Chilgar
11. Sakharam Baburao Tehale
12. Amol @ Muli Machindra Salunke
13. Anil Machindra Salunke

...APPELLANTS

VERSUS

The State of Maharashtra and Others

...RESPONDENTS

Mr. Salunke Sudarshan J., Advocate for the Appellants.
Mr. V. M. Chate, AGP/APP for Respondent – State.
Mr. Farooqui Kamaloddin Nuruddin, Advocate for Respondent No.3.

CORAM : ABHAY J. MANTRI, J.

DATE : APRIL 24, 2026

PER COURT :

1. The Appellants – Accused, being dissatisfied with the order dated 24th March 2026, passed by the learned Additional Sessions Judge, Beed, in Criminal Bail Application No. 187 of 2026, whereby the Bail Application filed by them was rejected in connection with Crime No.0039 of 2026 dated 14th February 2026 registered with Talwada Police Station, Beed, Dist. Beed, for the offences punishable under Sections 74, 118(1),

324(1), 324(2), 324(5), 332(c), 189(2), 190, 191(2) of the Bharatiya Nyaya Sanhita, 2023 (for short “**BNS**”) and under Sections 3(1)(r), 3(1)(s), 3(1)(w)(i), 3(1)(w)(ii), 3(2)(va), 3(1)(g) and 3(1)(x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short “**SC & ST Act**”), has preferred this Appeal.

2. Heard Mr. Salunke, learned counsel for the Appellants, Mr. Chate, learned APP appearing for Respondent Nos. 1 and 2, and Mr. Farooqui, learned counsel appearing for Respondent No. 3. Perused the Appeal memo and copy of the charge-sheet.

3. On 14th February 2026, the informant, Payal, lodged a report with Talwada Police Station, Beed, Dist. Beed, alleging that on 13th February 2026 at about 04:00 p.m., the Appellant, along with one Ashok and others, had come to the spot by a four-wheeler; the Appellant, Sakharam, had outraged her modesty, and the Accused, Appellants Ashok and Mahadev, assaulted them with sticks and caused injuries to them. They also demolished their houses, threw the household articles, and caused damage to their properties. Based on her report, the offence came to be registered.

4. Learned counsel for the Appellants submitted that the informant and others have encroached upon the Gairan land of village Surdi (Bk), Taluka Georai, District Beed. He further submitted that all the Appellants have been in jail since 18th February 2026, and that the charge-sheet has now been filed; therefore, further detention of the Appellants is

not required. He further submitted that there are no criminal antecedents against the Appellants. They are permanent residents of the village. As such, he urged their release on bail.

5. On the other hand, learned APP and the learned counsel for Respondent No. 3 vehemently opposed the Application on the ground that the offence is a serious one and the Appellants were not entitled to take the law into their hands to demolish the houses of the informant and others and cause them injuries. During the course of arguments, learned APP has read out the statements of Shevantabai and Ragabai and submitted that in view of their statements, the allegations levelled against the Appellants appear serious. He further drew my attention to the medical reports of the victims as well as the CT scan report of the witness Ragabai and pointed out the injuries sustained by the victims.

6. They further submitted that if the Appellants are released on bail, then they may commit a similar crime and tamper with the prosecution witnesses; therefore, they urged for rejection of the bail. However, the learned APP fairly submitted that there are no criminal antecedents against the Appellants.

7. Having heard the rival contentions and perusal of the charge-sheet, at the outset, prima facie, it appears that the incident as alleged had seemed to have occurred. During the investigation, the Police have also recovered a bamboo stick at the instance of the Appellant – Mahadev.

Perused the medical certificate, wherein the nature of injuries of all the victims is shown as simple. The CT scan report of the victim Ragabai indicates that “she had suffered subgaleal scalp swelling with hematoma into the right high frontoparietal region.”

8. It is pertinent to note that the investigation is completed, and the charge-sheet has been filed in the Court. Also, the Appellants have no criminal antecedents and are permanent residents of the villages of Chopdewadi and Surdi. Therefore, in my view, it would not be proper to detain the Appellants behind bars; however, to dispel the apprehension of the prosecution, stringent conditions can be imposed upon them, more particularly on Appellant No. 1 – Mahadev.

9. As a result, **the Appeal is allowed in terms of prayer clauses (b) and (c).**

(A) The Appellant No. 1 – Mahadev be released on bail on furnishing PB and SB ₹ 1,00,000/- (**Rupees One Lakh Only**) with one or two solvent sureties in the like amount,

AND

Appellant Nos. 2 to 13 be released on bail on PB and SB ₹50,000/- each (**Rupees Fifty Thousand Only**) in the like amount in connection with Crime No.0039 of 2026 dated 14th February 2026 registered with Talwada Police Station, Beed, Dist. Beed, for the offences punishable under Sections 74, 118(1), 324(1), 324(2), 324(5), 332(c), 189(2), 190, 191(2) of the Bharatiya Nyaya Sanhita, 2023 (for short **“BNS”**) and

under Sections 3(1)(r), 3(1)(s), 3(1)(w)(i), 3(1)(w)(ii), 3(2)(va), 3(1)(g) and 3(1)(x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short “*SC & ST Act*”) on the following conditions:-

- (i) The Appellants shall not tamper with the prosecution evidence in any manner, nor shall they influence the informant, witnesses, or any other persons concerned with the case till the conclusion of the Trial.
- (ii) The Appellants shall, upon being released, immediately furnish their contact numbers and residential addresses to the Investigating Officer and update the same in case of any change.
- (iii) The Appellants shall not leave India without prior permission of the Court till the conclusion of the Trial.
- (iv) **The Appellant No. 1 shall not enter Surdi village till the conclusion of the trial.**

10. It is made clear that the observations made in this order are prima facie in nature, and that the Trial Court shall be influenced by the observations made hereinabove while passing the judgment.

11. **The Appeal is disposed of.**

(ABHAY J. MANTRI, J.)