IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 16 OF 2026

1. Mangal Hanumant Kevate
2. Pradip Hanumant Kevate ...Appellants

V/s.

The State of Maharashtra & Anr. ...Respondents

Mr. Prashant Hagare, a/w Adv. Ekta Patil, Advocate for the Appellant.
Mr. V. N. Sagare, APP for the Respondent/State.
Mr. Sandeep S. Salunkhe, a/w Mr. Rushikesh K. Gaikwad, Advocate for the Respondent No.2

CORAM : N.R. BORKAR, J.
DATE : 15.10.2026.

P.C. :

1. This appeal takes exception to the order dated 15.12.2025 passed by the Additional Sessions Judge, Baramati, in Criminal Bail Application No. 929 of 2025.

2. By the impugned order, the learned Additional Sessions Judge has rejected the anticipatory bail application filed by the present appellants who are apprehending their arrest in Crime No. 969 of 2025 registered at Yavat police station for the offences

punishable under Sections 329, 324(4), 352, 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita and Sections 3(1)(r), 3(1)(s), 3(1)(f) & 3(1)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. The first informant and the present appellants are adjacent landowners. It is alleged that on the date of the incident, which took place on 12.11.2025, dispute arose between the first informant, who belongs to Scheduled Caste and the appellants on account of removal of tree, which were there on common boundary of their lands and during the said dispute, the appellants alleged to have abused the first informant on his caste.

4. I have heard the learned counsel for the appellants, the learned APP for the respondent/State and the learned counsel for the Respondent No.2.

5. The learned counsel for the appellants submits that there is a delay in lodging the FIR. It is submitted that with ulterior motive the false allegations are made against the present appellants. It is further submitted that the prosecution has already

filed charge-sheet against the present appellants and the statement of witness Shri. Mangesh Kul, who according to the prosecution was present at the time of incident, does not show that the first informant was abused on his caste.

6. On the other hand, the learned APP for the respondent/State and the learned counsel for the respondent No.2 submit that the appellants are involved in one more crime of similar nature. It is submitted that, in view of the bar contained under Sections 18 & 18A of the SC & ST Act, the appellants may not be released on anticipatory bail.

7. I have perused the charge-sheet. *Prima-facie,* there appears to be a delay in lodging the FIR. The statement of witness Shri. Mangesh Kul is silent on the aspect of alleged caste-based abuses. Considering the said facts, I am inclined to release the appellants on anticipatory bail. In the result, the following order is passed :

O R D E R

i) The appeal is allowed.

ii) The order impugned is set aside.

iii) In the event of the arrest of the appellants in Crime No. 969 of 2025 registered at Yavat police station for the offences punishable under Sections 329, 324(4), 352, 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita and Sections 3(1)(r), 3(1)(s), 3(1)(f) & 3(1)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, they shall be released on furnishing P.R. Bond in the sum of Rs. 25,000/- each with one or two sureties in the like amount.

iv) The appellants shall not tamper with the prosecution evidence and shall not commit any other crime.

[N.R.BORKAR, J.]