IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.885 OF 2025

Yash Chandrakant Patil … Appellant
Vs.
The State of Maharashtra & Anr. … Respondents

Mr. Akshay Bankapur for the Appellant.
Mr. Mayur Sonavane, APP for Respondent No.1-State.
Ms. Kanchan Pawar, appointed advocate for Respondent No.2.
PSI Vikas Panchmukh, Adgaon PS, Nashik City is present.

CORAM : N.R. BORKAR, J.
DATE : 08TH OCTOBER 2026

P.C. :

1. This Appeal under Section 14-A of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 takes exception to the order dated 22nd July 2025 passed by the Learned Additional Sessions Judge, Nashik in Criminal Bail Application No.1277 of 2025.

2. By the impugned order, the Learned Additional Sessions Judge has rejected the anticipatory bail application filed by the present Appellant, who is apprehending his arrest in Crime No.201 of 2025 registered at Adgaon Police Station for the offences punishable under Sections 117(3), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short “SC & ST Act”).

3. The Appellant was working as a security guard in the housing society where the first informant was residing. It is the case of the prosecution that on the date of incident, which took place on 08th June 2025, on account of trivial issue of car parking a dispute arose between the Appellant and the injured informant, who belongs to the scheduled tribe. It is alleged that during the said dispute the present Appellant has abused the first informant on his caste and assaulted him by steel bracelet which he was wearing.

4. I have heard Learned Counsel for the Appellant, Learned APP for Respondent No.1-State and Learned Counsel for Respondent No.2.

5. Learned Counsel for the Appellant submits that there is no material to show that the present Appellant was aware about the caste of first informant. It is submitted that the CCTV footage collected during the investigation do not support the version of first informant. It is submitted that there is no need of custodial interrogation and the Appellant is ready and willing to co-operate in the investigation. It is further submitted that there are no other criminal antecedents against the present Appellant.

6. On the other hand, Learned APP for Respondent No.1-State and Learned Advocate for Respondent No.2 submit that custodial interrogation of the present Appellant is necessary to recover the bracelet. It is further submitted that there is a bar under Section 18 & 18-A of the SC & ST Act to entertain the anticipatory bail.

7. I have perused the transcript of the CCTV footage. *Prima-facie* the

said transcript does not support the version of the first informant. There is no reference of caste based abuses in the statement of the witness Mr.Kiran, who according to the prosecution was present at the time of alleged incident. In that view of the matter, I am inclined to release the Appellant on anticipatory bail. Hence, the following order:

ORDER

i. The Criminal Appeal is allowed.

ii. The impugned order is set aside.

iii. In the event of the arrest of the Appellant in Crime No.201 of 2025 registered at Adgaon Police Station for the offences punishable under Sections 117(3), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, he shall be released on bail on furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.

iv. The Appellant shall not tamper with the prosecution evidence.

v. The Appellant shall not commit any other crime.

8. The Criminal Appeal is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)