DINESH SADANAND SHERLA
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 1260 OF 2025

Aftab N. Mangalgiri ...Appellant.
V/s.
State of Maharashtra & Anr. ...Respondents.

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Mr. Vikram R. Sutaria a/w. Mr. Rishabh D. Singh and Adv. Mrunmayee Kashyap a/w. Mr. Gaurav Mhate for the Appellant.
Mr. P.H. Gaikwad, APP for the Respondent/State.
Ms Pravada Raut, Appointed Advocate for Respondent No.2.
API Sanjay Lokhande, Kondhwa Police Station is present.

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CORAM : N.R. BORKAR, J.
DATE : 16.10.2026.

P.C. :

1. This appeal under Section 14-A of the of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act (for short “SC & ST Act”) takes exception to the order dated 9.10.2025 passed by the learned Special Judge (Under SC & ST (POA), Act) Pune below Exhibit-1 in Criminal Bail Application No. 6114 of 2025.

2. By the order impugned, learned Special Judge has rejected the application for anticipatory bail filed by the present appellant, who is apprehending his arrest in C.R. No.603 of 2025 registered at Kondhwa Police Station, for the offences punishable under Section 69 of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Section 3(1)(w)(i)(ii) of the SC & ST Act.

3. I have heard the learned counsel for the appellant, learned

APP for the State and the learned counsel for respondent No.2/first informant.

4. The learned Special Judge has rejected the application filed by the appellant in view of the decision of the Andhra Pradesh High Court in case of ***Smt. Vidadalal Rajani w/o. Kumara Swamy vs. State of Andhra Pradesh***[1] without deciding it on merits.

5. This Court in ***Omraje Ashok Kalbhor Vs. The State of Maharashtra & Anr***[2] has quashed the similar impugned orders and remanded the matter back to the Special Court for deciding it afresh. In that view of the matter, the following order is passed :

O R D E R

i) The Appeal is partly allowed.

ii) The order impugned is quashed and set aside.

iii) The learned Special Court shall decide Criminal Bail Application No.6114 of 2025 afresh on its own merits.

iv) Till decision of the application, the appellant shall not be arrested.

6. The Appeal is disposed of in the aforesaid terms.

[N.R.BORKAR, J.]

1 Criminal Petition No.1461 of 2025

2. Criminal Appeal (ST) No. 21477 of 2025 and Criminal Appeal (ST) No. 21478 of 2025 decided on 9.2.2026